

SIXTY-THIRD DAY

(Monday, May 22, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 19, 1967 was dispensed with and the Journal was approved.

Senate Bill 618 on First Reading

Senator Herring moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word

Absent

Strong

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 618, A bill to be entitled "An Act amending Section 10 of the "Lower Colorado River Authority Act," Chapter 7, Acts of the Fourth Called Session of the 43rd Legislature (1934), page 19, as amended, by increasing the aggregate principal amount of bonds which the District may issue.

To the Committee on Water and Conservation.

Senate Bill 619 on First Reading

Senator Patman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Patman:

S. B. No. 619, A bill to be entitled "An Act relating to bonds of the Directors and Treasurer of the Lavaca County Flood Control District; amending Section 5, Chapter 95, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-218, Vernon's

Texas Civil Statutes); and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 620 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Patman:

S. B. No. 620, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Copano Bay Municipal Utility District of Aransas County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for continuing supervision by the State through the Texas Water Rights Commission; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

Reports of Standing Committees

Senator Word submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to which was referred H. B. No. 570, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

WORD, Chairman.

Senator Cole submitted the following report:

Austin, Texas,
May 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 896, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLE, Chairman
BLANCHARD
REAGAN

Senator Christie submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 599, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman
BROOKS
HERRING
SCHWARTZ
WILSON

Austin, Texas,
May 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to which was referred H. B. No. 1305, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman
BROOKS
HERRING
SCHWARTZ
WILSON

Senator Parkhouse submitted the following reports:

Austin, Texas,
May 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Wa-

ter and Conservation, to which was referred S. B. No. 618, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 18, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1271, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1272, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 72, A bill to be entitled "An Act to include lysergic acid and lysergic acid diethylamide (LSD) in the list defining "dangerous drug," and specifying its possession to be an unlawful act; amending Subsection (a) of Section 2 and Subsection (d) of Section 3, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act relating to the establishment of an advisory council for the

study and research of the problems of language handicapped children and defining the duties of the Texas Education Agency and the commissioner of Education concerning study and research into the problems of language handicapped children and the development and carrying out of diagnostic and treatment programs for such children; providing an appropriation; and declaring an emergency."

H. B. No. 204, A bill to be entitled "An Act to repeal the requirement in Section 7 of Article 2133 of the Revised Civil Statutes of Texas of 1925, that jurors must be freeholders or householders, and declaring an emergency."

H. B. No. 731, A bill to be entitled "An Act relating to the licensing of managing general agents of certain insurance companies or carriers by the State Board of Insurance; providing penalties; and declaring an emergency."

H. B. No. 966, A bill to be entitled "An Act relating to burial associations incorporated before 1905; and declaring an emergency."

H. B. No. 1010, A bill to be entitled "An Act establishing a Uniform Crime Reporting System requiring local and county police officers to submit certain information concerning the nature and volume of crime occurring within their respective jurisdictions to the Department of Public Safety; empowering the Department of Public Safety to collect and gather such information and make statistics thereon; authorizing the Department of Public Safety to make rules and regulations to accomplish the institution and operation of such uniform system; to designate the division of the Department of Public Safety as the agency which shall receive such information; requiring the Department of Public Safety to make an annual report on the results of such information to the Governor and the Legislature; and declaring an emergency."

H. B. No. 1202, A bill to be entitled "An Act amending the Securities Act, Chapter 269, Acts of the 55th Legislature, Regular Session, 1957, as amended (codified as Vernon's Texas Civil Statutes, Articles 581-1 through 581-39); by amending Subdivision C of Section 29 to make it a felony

to engage in fraud or fraudulent practice in connection with transactions in any security, whether or not such security is exempt or dealt in in an exempt transaction; providing for severability; saving pending proceeding and accrued causes of action; and declaring an emergency."

H. B. No. 1231, A bill to be entitled "An Act to amend Chapter 477, Acts of the 59th Legislature, Regular Session, 1965, by adding new sections to permit the Directors to adopt a new fiscal year and providing a date for the hearing on the budget in conformity with such new fiscal year; and declaring an emergency."

H. B. No. 1279, A bill to be entitled "An Act creating Rio Grande Valley Pollution Control Authority, a defined district, under Article XVI, Section 59, of the Constitution, comprising all of the territory contained in the counties of Cameron and Hidalgo for the purpose of constructing, acquiring and operating facilities for gathering, transporting, treating and disposing of waste; providing for a Board of Directors for the Government of said Authority; authorizing the Authority to acquire land for its purposes by condemnation; authorizing the Authority to issue bonds and providing for the payment and security thereof; providing that said bonds shall be payable only from revenues; authorizing the issuance of refunding bonds; authorizing the execution of a trust indenture to secure bonds payable from revenues; authorizing the Authority to enter into contracts with cities and others for collecting, treating and disposing of waste; providing for the approval of bonds issued by the Authority and contracts entered into by the Authority by the Attorney General and registration of Bonds by the Comptroller of Public Accounts of the State of Texas; prescribing other powers and duties of the Authority; authorizing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

H. B. No. 1282, A bill to be entitled "An Act amending Sections 3, 4, 7, 10b, 10d and 13 of Chapter 426, Acts of the 45th Legislature, Reg. Sess., 1937, as amended (compiled as Article 8280-121, Vernon's Texas Civil Statutes, as amended), so as to clarify existing powers of the San Ja-

cinto River Authority, to authorize said Authority, in addition to existing powers, to appropriate, impound and utilize the waters of the San Jacinto River watershed; to develop parks and recreation facilities; to construct sewage and industrial waste treatment and disposal facilities; to authorize sales of water and services to public and private bodies and to contract with respect thereto; to remove limitations regarding property sales; to authorize oil and gas leases and sales of property, to provide for approval of plans by Texas Water Rights Commission, the Pollution Control Board, and in some instances by the Parks and Wildlife Commission; to issue revenue bonds for any of the purposes of the authority; enacting other provisions relating to such bonds; reciting the publication of notice required by the Constitution; enacting other provisions relating to the subject and to said sections; and declaring an emergency."

H. B. No. 1316, A bill to be entitled "An Act to amend the Harris County Road Law, Acts, 1913, 33rd Legislature, Special Laws, page 64, Ch. 17, as amended, by amending Sec. 9 thereof, to provide for a deposit by bidders of a bid bond of five per cent (5%) of the amount of the book bid conditioned on performance, or in the discretion of the Commissioners Court, a deposit by bidders of a bid bond of five per cent (5%) of the amount of the bid conditioned that a successful bidder will enter into a contract and a performance bond in a sum equal to the amount of money to be paid by the County under the contract; and declaring an emergency."

Unanimous consent granted to amend captions on all Senate bills, where necessary on Consent Calendar.

H. C. R. No. 24, Providing for an Interim Committee for the study of Land Use and Environmental Control.

H. C. R. No. 115, Granting Tom T. Pollard and his successors and assigns, permission to sue the State of Texas and the State Highway Department.

H. C. R. No. 127, Creating an interim legislative Committee on the Preservation of the Governor's Mansion.

H. C. R. No. 138, Directing the Engrossing and Enrolling Clerk of the Senate to correct Senate Bill No. 29 and directing the Engrossing and Enrolling Clerk of the House of Representatives to return House Bill No. 86 to the House of Representatives for further consideration.

H. C. R. No. 139, Relating to the effective date of House Bill No. 1144.

H. C. R. No. 141, Relating to the effective date of House Bill No. 486.

H. C. R. No. 142, Recalling Senate Bill No. 28 from the Governor.

S. B. No. 544, A bill to be entitled "An Act amending Article 2803b of the Revised Civil Statutes of the State of Texas, 1925, to make said Act applicable to any type of school district, to eliminate the necessity of any type of election in the receiving district; repealing all laws and parts of laws in conflict herewith to the extent of the conflict; providing that said Act shall be cumulative of other existing laws relating to the annexation of school districts; and declaring an emergency."

S. B. No. 558, A bill to be entitled "An Act to create the Jack County Water Control and Improvement District No. 1 in a portion of Jack County under the provisions of Section 59, Article XVI, of the Constitution of the State of Texas, and Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Articles 7880-1 through 7880-147c (6), Vernon's Texas Civil Statutes), as amended; prescribing the powers, duties, functions, procedures, and financing of the district; and declaring an emergency."

(With Amendments.)

S. B. No. 583, A bill to be entitled "An Act relating to the salary of the official shorthand reporters of the Tenth, Fifty-sixth, and One Hundred Twenty-second Judicial Districts of Texas; amending Section 1, Chapter 350, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 2326j-1, Vernon's Texas Civil Statutes; and declaring an emergency."

S. B. No. 587, A bill to be entitled "An Act authorizing any county having a population in excess of 900,000, according to the most recent Federal

Census, to issue certificates of indebtedness for the purpose of constructing, enlarging, furnishing, equipping and repairing buildings to provide homes and schools for dependent and delinquent boys and girls, or for either, and the acquisition of sites therefor; prescribing limitations as to the amount of and the time within which such certificates may be issued; prescribing the procedure for the issuance and sale; etc., and declaring an emergency."

S. B. No. 589, A bill to be entitled "An Act relating to municipal pension systems in all cities of this state having a population in excess of nine hundred thousand (900,000) inhabitants according to the last preceding Federal Census; amending Chapter 358, Acts of the 48th Legislature, Regular Session, 1943, as amended (Article 6243g, Vernon's Texas Civil Statutes) by adding a new Section 23a; and declaring an emergency."

S. B. No. 590, A bill to be entitled "An Act amending House Bill No. 249, Acts 36th Legislature, 1919, Regular Session, Chapter 131, page 237, as amended (codified as Article 1037, Vernon's Penal Code); authorizing the issuance of "stop-sale" orders in connection with violations; authorizing the Commissioner of Agriculture to promulgate rules and regulations; and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act to provide that the board of directors of water supply or sewer service corporations may hold their annual meeting at any time between January 1 and May 1; amending Section 5, Chapter 76, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 1434a, Vernon's Texas Civil Statutes); and declaring an emergency."

S. C. R. No. 77, Authorizing corrections in Senate Bill No. 467.

S. C. R. No. 78, Correcting Senate Bill No. 564.

S. C. R. No. 79, Authorizing corrections in Senate Bill No. 400.

S. C. R. No. 80, Authorizing corrections in Senate Bill No. 550.

S. B. No. 397, A bill to be entitled "An Act amending Sections 6 and 7 of Article 6228b of the Revised Civil Statutes of Texas of 1925 to provide

that retired judges shall not be judicial officers of the state unless they elect to continue as such; providing for their assignment and pay while serving; and declaring an emergency."

(With Amendments.)

S. C. R. No. 46, Creating an interim committee to study problems peculiar to the various beaches of Texas.

S. C. R. No. 61, Expressing appreciation for the service of Judge W. W. Heath and inviting him to address the Texas Legislature.

S. B. No. 41, A bill to be entitled "An Act amending Chapter III, Article 12; Chapter IV, Article 1; Chapter IV, Article 6, as amended; Chapter V, Article 5; Chapter IX, Article 3, as amended; all of said Chapters and Articles being a part of the Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943; etc., and declaring an emergency."

S. B. No. 57, A bill to be entitled "An Act amending Section 57 of the Texas Probate Code to change the age requirement for a person who may execute a will from nineteen (19) years of age to eighteen (18) years of age; and declaring an emergency."

S. B. No. 249, A bill to be entitled "An Act amending Chapter Seventeen of the Code of Criminal Procedure (Acts 1965, 59th Legislature, Regular Session, Chapter 722, Chapter Seventeen thereof, page 373) by adding thereto a new Article 17.39 providing that whoever, having been admitted to bail for appearance before any court of record of this State, incurs a forfeiture of the bail and wilfully fails to surrender himself within thirty (30) days following the date of such forfeiture, shall, if the bail was given in connection with a charge of felony or pending appeal after conviction of any offense, or if the bail was given in connection with a charge of committing a misdemeanor, or for appearance as a witness, be fined or imprisoned; etc., and declaring an emergency."

S. B. No. 410, A bill to be entitled "An Act creating and establishing a conservation and reclamation district

under Article 16, Section 59, Constitution of Texas, known as Highland Municipal Utility District; etc., and declaring an emergency."

(With Amendment.)

H. B. No. 315, A bill to be entitled "An Act relating to the right of a defendant in a trespass to try title suit to remove improvements from the land; amending Title 124, Revised Civil Statutes of Texas, 1925, by adding a new Article 7401A; providing a saving clause; and declaring an emergency."

H. B. No. 474, A bill to be entitled "An Act relating to deductions under the inheritance tax laws; amending Article 14.10, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act relating to fees to be collected by clerks of district courts in counties containing a population of more than 900,000 inhabitants according to the last preceding federal census; amending Section 1, Chapter 592, Acts of the 59th Legislature, Regular Session, 1965 (Article 3927b, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act amending the Special Fuels Tax Law, enacted as Chapter 10, Title 122A, Taxation-General, Revised Civil Statutes of Texas, by amending Article 10.07 to provide that a lessor of motor vehicles who supplies or pays for the special fuels consumed in motor vehicles leased to others by him may be deemed to be the user of such fuels, and may be licensed as an import-user; requiring photocopy of lessor's permit to be issued for each motor vehicle; amending Article 10.08 prescribing a mileage factor to determine the special fuels imported in fuel supply tanks and used on the Texas highway; fixing a miles-per-gallon factor where records not kept; amending Article 10.09 to authorize the issuance of trip-permits under certain conditions; amending Article 10.14 pursuant to tax refunds to allow credits and tax refunds when an excess of tax paid special fuels purchased in Texas is used outside of this State; amending Article 10.21 pertaining to rules and regulations filed with Secretary of

State; containing savings clause; repealing laws in conflict with this Act; setting the effective date of this Act, and declaring an emergency."

H. B. No. 680, A bill to be entitled "An Act amending Article 8308, Revised Civil Statutes of Texas, 1925, as heretofore amended, by the addition thereto of a new section to be designated Section 18 to authorize employers to furnish workmen's compensation benefits to additional employees or classifications of employees by purchasing appropriate insurance; providing for severability and repeal of conflicting laws; and declaring an emergency."

H. B. No. 684, A bill to be entitled "An Act relating to the filling of vacancies on boards of trustees of independent school districts; and declaring an emergency."

H. B. No. 688, A bill to be entitled "An Act relating to the enforceability of ad valorem tax liens encumbering interests in a mineral estate severed from a surface estate; amending Article 7172, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act relating to the minimum and maximum salary of the official shorthand reporter of the 52nd Judicial District of Texas; and declaring an emergency."

H. B. No. 726, A bill to be entitled "An Act relating to foreclosure sale under deed of trust and other contract lien; requiring personal notice of sale in certain cases; and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act relating to the jurisdiction of city policemen and marshals to serve corporation court process; Amending Article 45.04, Code of Criminal Procedure, 1965, and Articles 998 and 999, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 743, A bill to be entitled "An Act relating to the assessment and collection of taxes by cities for other taxing entities; amending Chapter 351, Acts of the 49th Legislature, 1945 (Article 1066b, Vernon's Texas Civil Statutes), by adding Section 1b; and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act relating to furnishing legal counsel for indigents accused of crime and to investigate entitlement to release of persons on personal bond; and declaring an emergency."

H. B. No. 775, A bill to be entitled "An Act raising the maximum salary and expense allowance authorized to be paid to the juvenile officer of Harrison County; amending Section 3a, Chapter 106, Acts of the 54th Legislature, 1955, as added (Article 5139J, Vernon's Texas Civil Statutes); and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 1095 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 355 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 302 by vote of 135 ayes, 0 noes.

H. B. No. 873, A bill to be entitled "An Act creating the Texas Mass Transportation Commission and prescribing its organization, duties, powers, and procedures; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Karnes and Wilson Counties to the list of counties regulated; and declaring an emergency."

H. B. No. 1049, A bill to be entitled "An Act making supplemental appropriations to the State Department of Public Welfare for administrative expenses for the period beginning June 1, 1967 and ending August 31, 1967, for the purpose of making plans to implement benefits to patients in institutions under the "Medical Assistance Act of 1967"; reappropriating unexpended balances; fixing an effective date; providing a repealing clause; providing a saving clause; and declaring an emergency."

H. B. No. 1067, A bill to be entitled "An Act relating to creation of the office of criminal district attorney for the 42nd and 104th Judicial Districts; abolishing the offices of district

attorney for the 42nd and 104th Judicial Districts, and the office of County Attorney of Taylor County; amending Section 2, Chapter 184, Acts of the 57th Legislature, Regular Session, 1961 (Article 199-104—Jones and Taylor, Vernon's Texas Civil Statutes); and Article 322, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1110, A bill to be entitled "An Act amending Section 24, Chapter 340, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 912a-24, Vernon's Texas Civil Statutes), relating to the location of cemeteries; and declaring an emergency."

H. B. No. 1190, A bill to be entitled "An Act relating to workmen's compensation and other coverage for employees of highway subcontractors; amending Section 12, Chapter 502, Acts of the 45th Legislature, General Laws, 1937 (Article 6674s, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1204, A bill to be entitled "An Act amending Section 28 of The Securities Act, Senate Bill No. 294, Chapter 269, page 575, Acts of the 55th Legislature, Regular Session, 1957 (Article 581-28, Vernon's Texas Civil Statutes), relating to subpoenas or other process in investigations by the Commissioner; providing for severability; providing a savings clause; and declaring an emergency."

H. B. No. 1217, A bill to be entitled "An Act relating to the extension of workmen's compensation insurance to employees of certain drainage districts under the terms of Chapter 428, Acts of the 51st Legislature, Regular Session, 1949 (Article 8309c, Vernon's Texas Civil Statutes), and pursuant to Section 60, Article III, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 1233, A bill to be entitled "An Act relating to the creation, establishment, maintenance, and operation of a hospital district in Cochran County pursuant to Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 1286, A bill to be entitled "An Act authorizing the Texas De-

partment of Agriculture to test agricultural products for aflatoxins and charge a fee for such tests; providing that fees collected shall be deposited in the Special Department of Agriculture Fund; providing for severability; and declaring an emergency."

H. B. No. 1292, A bill to be entitled "An Act requiring any school board, county commissioners court, or governing board of a city, or tax equalization board to publish notice of certain public hearings and of regular or special elections; and declaring an emergency."

H. B. No. 1319, A bill to be entitled "An Act authorizing the San Angelo Trade Zone, Inc., to establish, operate and maintain a foreign trade zone at San Angelo, Tom Green County, Texas, and other sub-zones; authorizing the San Angelo Trade Zone, Inc., to apply to the Foreign Trade Zone Board, Washington, D. C., for a grant to permit the establishment, operation and maintenance of the foreign trade zone and sub-zones in accordance with federal laws and the regulations of the Federal Trade Zones Board; authorizing the acceptance of such grant; and declaring an emergency."

H. B. No. 1323, A bill to be entitled "An Act amending Sections 11 and 12 of Chapter 648, Acts of the 59th Legislature, Regular Session, 1965, codified as Article 8280-338, Vernon's Texas Civil Statutes, so as to increase to six percent (6%) the permissive interest rate on bonds issued by Braeburn West Utility District; and granting to the District full powers to authorize, execute, issue and sell bonds to be supported by taxes, revenues or a combination of taxes and revenues; and declaring an emergency."

H. B. No. 1333, A bill to be entitled "An Act amending Section 7a of Senate Bill No. 23, Chapter 102, page 178, Acts of the 58th Legislature, 1963 (codified as Section 7a of Article 678e, Vernon's Texas Civil Statutes), so as to empower the watchmen authorized by said Act to carry firearms under certain conditions and in certain situations; and declaring an emergency."

H. B. No. 1336, A bill to be entitled "An Act to prohibit interfering with

or disrupting school activities; providing a penalty; and declaring an emergency."

H. B. No. 1339, A bill to be entitled "An Act relating to the consequences of misstating age in applying for life insurance from a mutual assessment company; amending Article 14.18, Texas Insurance Code; and declaring an emergency."

H. B. No. 1341, A bill to be entitled "An Act relating to the compensation of members of the County School Trustees of counties having a population of not less than 95,000 and not more than 115,000; amending Article 2687, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1346, A bill to be entitled "An Act relating to the establishment of a more efficient road system for Harrison County; providing penalties for violations of the Act; repealing certain laws; providing for severability; and declaring an emergency."

H. B. No. 1348, A bill to be entitled "An Act relating to the salaries of certain county and district officials in certain counties; and declaring an emergency."

H. B. No. 1349, A bill to be entitled "An Act relating to the salary of a stenographer or clerk for any district attorney in judicial districts composed of two or more counties; amending Section 1, Chapter 365, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 326k-19, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1350, A bill to be entitled "An Act relating to the authority of certain cities to establish, acquire lease, purchase, construct, improve, enlarge, equip, repair, operate, maintain, and finance certain civic, cultural, recreational, and other buildings and facilities; amending Sections 1, 2, 3, 4, and 8, Chapter 63, Acts of the 59th Legislature, Regular Session, 1965 (Article 1269j-4.1, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1352, A bill to be entitled "An Act amending Section 4 of H. B. No. 915, Chapter 404, page 959, Acts of the 53rd Legislature, Regular Session, 1953, relating to bonds of

Willacy County Navigation District; repealing laws in conflict; providing for severability; and declaring an emergency."

H. B. No. 1353, A bill to be entitled "An Act closing the season on deer in a certain portion of Harrison County for a specified time; prescribing a penalty; and declaring an emergency."

H. B. No. 1355, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to convey certain land in Harrison County to the heirs and assigns of the grantors in the deed by which the land was conveyed to the state; and declaring an emergency."

H. B. No. 1358, A bill to be entitled "An Act amending Section 10 of the "Lower Colorado River Authority Act," Chapter 7, Acts of the Fourth Called Session of the 43rd Legislature (1934), page 19, as amended by Chapter 2, Special Laws of the Regular Session of the 46th Legislature (1939), page 1048, by Chapter 61, Acts of the Regular Session of the 51st Legislature (1949), page 101, and by Chapter 165, Acts of the Regular Session of the 54th Legislature (1955), page 532, and by Chapter 327, Acts of the Regular Session of the 56th Legislature (1959), page 708, and by Acts 1962, 57th Legislature, Third Called Session, page 27, Chapter 11, Section 1, and by Acts 1965, 59th Legislature, page 287, Chapter 124, Section 1, so as to authorize the Lower Colorado River Authority to sell bonds to the United States of America, or to any agency or corporation created or designated by the United States of America; to acquire, install, construct, and enlarge, make additions to, and to operate one or more steam plants located within the boundaries of the District to serve the area now being served by Lower Colorado River Authority; reenacting the remainder of said Section 10 without change; containing a severability clause; and declaring an emergency."

H. B. No. 1345, A bill to be entitled "An Act creating a Conservation and Reclamation District under Article XVI, Section 59, of the Constitution comprising all of the territory contained in the boundaries of Lamar County, Texas, except that part of

Lamar County contained within the corporate limits of the city of Paris, Texas, as of the effective date of this Act, to be known as Lamar County Water Supply District, for the purpose of providing a source of water supply for cities and other users within or without the District for municipal, domestic, industrial and mining purposes; providing for a Board of Directors to govern said District; providing a method for the annexation of additional territory thereto and for the detachment of territory therefrom; providing that the District shall not have any powers of taxation or condemnation; authorizing the District to acquire land, easements and other properties within or without the District and to lease or otherwise acquire all works, plants, and other facilities necessary or useful for transporting water to cities and others, within or without the District; providing for continuing supervision by the state through the Texas Water Rights Commission; authorizing the issuance of revenue bonds and making provision for the payment and security thereof; providing that Article 7880-139, Vernon's Annotated Civil Statutes, shall be applicable to the District; providing that the District shall bear the expense of relocation, raising, or re-routing of any highway, railroad or utility lines or pipelines made necessary by the exercise of its powers; authorizing the District to enter into contracts for the sale of and purchase of water; authorizing the District to accept grants, gifts and other aid; providing for a depository bank; authorizing the investment of District funds; prescribing other powers and duties of the District; enacting other provisions relating to the subject; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Senate Resolution 683

Senator Blanchard offered the following resolution:

Whereas, Charles Armor Guy was born in Baltimore, Maryland, March 30, 1902, moving at a young age to Tulsa, Oklahoma, where he was graduated from Central High School in 1919. He received a Bachelor of

Arts degree and a Certificate of Journalism from the University of Oklahoma in 1923; and

Whereas, He joined Sigma Delta Chi, a national journalism society, in Tulsa, Oklahoma in 1920 and has rendered outstanding and faithful service to this fraternity since that time; and

Whereas, He gained his newspaper background as a sports reporter for the TULSA WORLD and the DAILY OKLAHOMAN, and as a reporter for the El Reno, Oklahoma AMERICAN and was City Editor for the Bristow, Oklahoma DAILY RECORD; and

Whereas, He became Editor of the LUBBOCK JOURNAL in 1925 and served with that paper until it became the LUBBOCK AVALANCHE JOURNAL in 1926, serving as Editor of the LUBBOCK AVALANCHE JOURNAL from 1926 until 1931; and

Whereas, He became Editor and Publisher of the LUBBOCK AVALANCHE JOURNAL, in 1931 and still serves in that capacity; and

Whereas, He now serves as Vice President and Director of the Avalanche Journal Publishing Company, Vice President and Director of the El Paso Times, Inc., and is a Director of the Globe News Publishing Company in Amarillo, Texas; and

Whereas, Charles A. Guy has served with honor and distinction as a member and past Director of the American Society of Newspaper Editors; has rendered distinguished service as a past President of the West Texas Press Association and as past Treasurer for the last 14 years and past President of the Texas Associated Press Editors Association; and

Whereas, Charles A. Guy has rendered to the public of Texas great and outstanding service as a distinguished member of the Texas Commission on Alcoholism since 1957, having been appointed by the Honorable Price Daniel and having been reappointed by the Honorable John B. Connally, Governors of Texas; and

Whereas, In 1947 the War Department of the United States appointed Charles Armor Guy as a member of the committee to study and report on occupation practices in Germany, Austria and the free state of Trieste, and did serve the War Department

in an outstanding and conspicuous manner; and

Whereas, In 1956 he was appointed a member of the international committee to study and report on NATO operations in Italy under the direction of the United States Secretary of State and the United States State Department; and

Whereas, Charles A. Guy has served as a past President and long time member of the Downtown Lubbock Rotary Club, having served on all of the committees of Rotary; and

Whereas, He is a member of the Masonic Lodge, the Scottish Rite being a 32nd Degree, KCCH, and a member of many civic, social and fraternal orders in the city of Lubbock, Texas; and

Whereas, He is married and he and his charming wife Grace reside at 3509 43rd Street in Lubbock, Texas and is the father of three fine sons, Charles A. Guy, Jr., Tuscon, Arizona, Dorrance H. Guy, El Paso, Texas and George M. Guy, Lubbock, Texas; and

Whereas, Charlie A. Guy is the author of the oldest daily newspaper column in Texas, "The Plainsman," which started on February 28, 1927; and

Whereas, "The Plainsman" column by this time has contained some 16 million written words concerning the everyday affairs of Lubbock, West Texas and the World in general; and

Whereas, Charles A. Guy has been instrumental in influencing opinion, both pro and con, regarding the great West Texas Area and particularly Lubbock, since he became Editor of the LUBBOCK AVALANCHE JOURNAL in 1926, and has since seen the city grow from 13,000 to about 170,000; and

Whereas, He has been an ardent supporter of Texas Tech since its inception many years ago; and

Whereas, Charles A. Guy has participated in so many civic endeavors that it could not be listed even using the many words of the "Plainsman's" column; and

Whereas, The Senate of Texas desires to honor this outstanding citizen of Texas and to express to him our admiration and respect for his many contributions in the field of journalism, in the field of humanities and in the field of public and private ser-

vice to the smallest individual and to the largest; now, therefore, be it

Resolved, That the Senate of Texas do hereby take notice of the outstanding contributions of Charles Armor Guy of Lubbock, Lubbock County, Texas on the advent of the completion of his 40th year in journalism in this state; and, be it further

Resolved, That we here and now add our thanks to him for the great contributions which he has made to Lubbock, Texas, to Texas Tech, to the people of West Texas, and to the people of the World; and, be it further

Resolved, That copies of this Resolution be mailed to Charles A. Guy as a token of our gratitude and appreciation for his friendship and for his never ending search for the dignity of man, the search for truth, and the improvement of all mankind.

BLANCHARD
REAGAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Reagan and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Concurrent Resolution 81

Senator Grover offered the following resolution:

S. C. R. No. 81, Expressing strong opposition to the Proposal that the United States relinquish its sovereignty over the Canal Zone and the Panama Canal.

Whereas, The Executive Branch of the United States Government has publicly announced that it is in the process of negotiating a treaty or treaties with the Republic of Panama that could dilute the indispensable grant of sovereignty over the United States-owned Canal Zone ter-

ritory acquired pursuant to law and purchase from individual property owners under the 1903 Treaty with Panama for the construction, operation, maintenance, sanitation, and protection of the Panama Canal; and

Whereas, Any such proposed treaty or treaties, if ratified by the United States Senate, could divest the United States of authority where there is grave responsibility and thereby render our government impotent to maintain and operate the Panama Canal in conformity with the provisions of the 1901 Hay-Pauncefote Treaty with Great Britain under which treaty the United States is obligated to maintain, operate and protect the Panama Canal on terms of equality for world shipping; and

Whereas, The proposed new treaty or treaties, if approved, could effectively destroy all the indispensable rights heretofore exercised by the United States with respect to the Canal Zone and the Panama Canal; and

Whereas, Any withdrawal by the United States could imperil the security of governments throughout Latin America, as in the case of Cuba, and imperil the security of the United States and the entire Western Hemisphere; and

Whereas, The Panama Canal is of extreme economic importance to all Texas seaports, especially regarding commerce between Texas and the Orient, this importance being further emphasized by the fact that both the Port of Houston and the Panama Canal opened for commerce in the same year, 1914; and

Whereas, Some of these Oriental nations now shipping wheat through Texas Gulf Coast ports are gravely concerned about the possibility of the United States losing control of the Panama Canal; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the State of Texas opposes the relinquishing by the United States of its existing rights, powers and authority over the Canal Zone and Panama Canal; and be it further

Resolved, That a copy of this Resolution be forwarded to the President of the Senate in the Congress of the United States and the Speaker of the House of Representatives, and to

each United States Senator from Texas in the Congress and each member of the House of Representatives in the Congress from Texas.

The resolution was read.

Senator Grover asked unanimous consent to consider the resolution immediately.

There was objection.

The resolution was then referred to the Committee on State Affairs.

Senate Resolution 687

Senator Patman offered the following resolution:

Whereas, A portrait of Mrs. Hilda Weinert, the wife of the late Hilmar H. Weinert, has been prepared for placement in the State Capitol Building; and

Whereas, It is the desire of the Senate to receive this portrait officially during this session of the legislature, at the earliest convenient time; now, therefore, be it

Resolved, That the Senate of Texas set aside the time of 11:00 a.m. on Tuesday, May 23, 1967, in order that the official portrait of Mrs. Weinert may be presented to the Lieutenant Governor of Texas, who will receive the same for the State of Texas, and assign it to placement in a prominent place in the Senate Reception Room; and be it further

Resolved, That Mrs. Weinert, her family, and other guests designated by her be admitted to the Senate floor for the ceremony hereinabove described, and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Concurrent Resolution 82

Senator Kennard offered the following resolution:

S. C. R. No. 82, Authorizing Enrolling Clerk to make certain correction in S. B. No. 466.

Whereas, Senate Bill 466 has been passed by both the Senate and the House and is now in the Senate Enrolling Room; and

Whereas, A certain minor correction needs to be made in the bill; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that the Enrolling Clerk be and she is hereby directed to correct the enrolled copy of the bill by changing the word "justifiable" to read "justiciable" in Section 3, page 3, of said enrolled bill.

The resolution was read.

On motion of Senator Kennard, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 688

Senator Blanchard offered the following resolution:

Whereas, Winning titles is nothing new for the beautiful and graceful Texas Matador Twirlers of Lubbock, who will represent Texas at the national twirlers contest in Oxford, Mississippi, in August, 1967; and

Whereas, Precision is the word that best describes the action of the twelve teenage girls who make up the twirlers corps; six other members are knife twirlers, and four girls are flag carriers; and

Whereas, This will be the second trip to the national contest for these girls, who won the State title at the National Baton Twirlers Association contest in Lubbock on April 8-9, 1967; in Oxford, competition runs for five days and is judged on an accumulative point basis; also competing for the national honors in Oxford will be the group's band, the drum corps; and

Whereas, Co-leaders of the Twirlers are Jane Myatt and Kay Evans. Miss Myatt is head majorette of Monterey High School and Miss Evans is feature twirler for Lubbock High School; the two have twirled as a duet for the past five years and have appeared in competition in several states; Miss Evans also appeared at the New York World's Fair; and

Whereas, While at the nationals, the Texas Matador Twirlers will be among an expected 8,000 to vie for honors in strutting, two baton, dance team national, hoop, high throw and the world series national solo contest; the corps will present a routine from eight to ten minutes which must include twirling, dance steps, marching and maneuvering; and

Whereas, During the 13 years of its organization, the group, whose average age is 14, has won more than 200 titles, but success hasn't been easy. Many hours of drill have gone into each performance and many more will be required before the national finals in August; and

Whereas, It is appropriate that the Senate of the 60th Legislature extend congratulations to the Texas Matador Twirlers of Lubbock; now, therefore, be it

Resolved, That the Senate of the State of Texas by this Resolution express appreciation for the achievement of the Texas Matador Twirlers of Lubbock and commend their teachers and sponsors and all those citizens of Lubbock who have given them support and encouragement; and, be it further

Resolved, That the Senate extends good wishes to them for success in the national contest, and that a copy of this Resolution be prepared under the Seal of the Senate for the lovely young ladies of the Texas Matador Twirlers of Lubbock in token of the appreciation of this body and of all the people of Texas for their hard work and accomplishments.

BLANCHARD.

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Reagan and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Concurrent Resolution 83

Senator Herring offered the following resolution:

S. C. R. 83, Granting John W. Spies, M.D., permission to sue the state.

Whereas, John W. Spies, M.D., was formerly Dean and principal Administrator of Hospitals and Profes-

sor of Public Health and Preventive Medicine at the Medical Branch of the University of Texas at Galveston;

Whereas, Dr. Spies was relieved of his duties and dismissed in an action by the Board of Regents of the University of Texas on or about July 31, 1942; and

Whereas, Dr. Spies alleges that his dismissal was a breach of contract and in violation of his rights as set forth in the rules of the Board of Regents pertaining to his employment and tenure; and

Whereas, Dr. Spies desires to bring suit for recovery of damages and to maintain his rights; now, therefore be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That Dr. John W. Spies of Travis County, Texas, is hereby granted permission to bring suit against the State of Texas, the University of Texas, and the Regents thereof for the recovery of damages and other purposes as alleged by him, in Travis County, Texas, and services of citation for the purposes herein granted may be served upon the Board of Regents of the University of Texas or the Attorney General of the State of Texas; and be it further

Resolved, That such suit may be filed within 2 years from the adoption date of this resolution; and be it further

Resolved, That the sole purpose of this resolution is to grant permission to the aforesaid Dr. John W. Spies to bring suit against the State of Texas and no admission of liability of the State or of any fact is made in any way by the passage of this resolution; and it is specifically provided that the facts upon which Dr. John W. Spies seeks to recover must be proved in Court as in other civil cases and the State of Texas retains any and all defenses and this resolution is limited solely to the right to file a civil suit.

The resolution was read and was referred to the Committee on Jurisprudence.

Senate Bill 621 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 621, A bill to be entitled "An Act relating to an additional class of counties that are to use jury wheels in selecting jurors; amending Article 2094, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 21, 1967.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 702, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
WORD

Austin, Texas,
May 21, 1967.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1290, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
WORD

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1263, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1148, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 557, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 859, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 579, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 872, have had the same under consideration, and I am

instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 455, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
May 19, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 596, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee substitute adopted in lieu thereof do pass and be printed.

HALL, Chairman.

C. S. S. B. No. 596 was read the first time.

Senator Christie by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1267, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Vice-Chairman.
WORD
HALL

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1247, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Vice-Chairman.
WORD
HALL

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 932, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Vice-Chairman.
WORD
HALL

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
May 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 621, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
WORD

Senator Hightower by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 741, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HIGHTOWER, Chairman.

Austin, Texas,
May 21, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to which was referred H. B. No. 795, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HIGHTOWER, Chairman.

Message From the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

May 19, 1967.

To the Senate, Sixtieth Legislature, Regular Session:

I disapprove and veto Senate Bill Number 517. The body of this bill does not conform to the caption and, under our Constitution and authorities, this destroys its effectiveness as a law.

Although I am not opposed to the apparent intent of Senate Bill Number 517, the caption states that the bill increases the aggregate principal amount of bonds which the District may issue. However the body of the bill contains no such increase. Thus this caption is misleading and under the Constitution, Article 3, Section 35, as construed by the Supreme Court in *State v. Praetorians*, 186 S. W. 2d 973, the bill must fail.

Accordingly, I herewith veto and return Senate Bill Number 517.

Respectfully submitted.

JOHN CONNALLY,
Governor.

(Senator Hardeman in the Chair.)

Conference Committee on House Joint Resolution 17

Senator Watson called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. J. R. No. 17 and moved that the request be granted.

The motion to grant the request prevailed.

(President in the Chair.)

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. J. R. No. 17: Senators Watson, Reagan, Moore, Cole and Harrington.

House Bill 741 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent H. B. No. 741 was ordered not printed.

**Senate Bill 538 With
House Amendment**

Senator Schwartz called S. B. No. 538 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment 1

Amend S. B. No. 538 by deleting the word "bridges," appearing on line 46 of page 5 of the printed bill and deleting the word "guardians," appearing on line 39 of page 6 of the printed bill.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Senate Bill 621 Ordered Not Printed

On motion of Senator Moore and by unanimous consent S. B. No. 621 was ordered not printed.

House Bill 795 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 795 was ordered not printed.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 620, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 619, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 83, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

**Conference Committee Report on
House Bill 235**

Senator Patman submitted the following Conference Committee Report on H. B. No. 235:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 235, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PATMAN
HARDEMAN
RATLIFF
HERRING
AIKIN

On the part of the Senate.

WEITING
ATWELL
SLIDER
FOREMAN
BIRKNER

On the part of the House.

H. B. No. 235,

A BILL

To Be Entitled

An Act to authorize the Parks and Wildlife Department to enter into contracts or agreements with the Federal Government for the eradication of noxious vegetation in the waters of this State; providing for financing; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Parks and Wildlife Department is hereby authorized to enter into contracts or agreements with the Federal Government for the eradication of noxious vegetation from the waters of this State. Programs performed under this Act may not be financed more than thirty percent (30%) by State funds. Out of any money appropriated to the Parks and Wildlife Department from the Land and Water Recreation and Safety Fund No. 63, for the fiscal biennium ending August 31, 1969, the Department may expend the sum of \$200,000, or so much of that amount as may be needed, to carry out the purposes of this Act.

Sec. 2. The fact that such authority is needed to clear clogged waterways creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act

take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1122, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1252, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
WORD

Senate Bill 618 Ordered Not Printed

On motion of Senator Herring and

by unanimous consent S. B. No. 618 was ordered not printed.

**Senate Concurrent Resolution 83
Ordered Not Printed**

On motion of Senator Herring and by unanimous consent S. C. R. No. 83 was ordered not printed.

Senate Bill 596 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent S. B. No. 596 was ordered not printed.

House Bill 1122 Ordered Not Printed

On motion of Senator Bates and by unanimous consent H. B. No. 1122 was ordered not printed.

**House Bills and Resolutions on
First Reading**

The following bills and resolutions received from the House, were read the first time and referred to the Committee indicated:

H. B. No. 49, to the Committee on Jurisprudence.

H. B. No. 204, to the Committee on Counties, Cities and Towns.

H. B. No. 930, to the Committee on Jurisprudence.

H. B. No. 1262, to the Committee on Water and Conservation.

H. C. R. No. 45, to the Committee on State Affairs.

H. C. R. No. 54, to the Committee on State Affairs.

H. C. R. No. 129, to the Committee on State Affairs.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 502, A bill to be entitled "An Act relating to inscriptions to be printed on State owned motor vehicles; amending Article 821, Vernon's Annotated Penal Code of the State of Texas; and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act relating to the rights, du-

ties, privileges, powers, and liabilities of spouses; etc., and declaring an emergency."

S. B. No. 477, A bill to be entitled "An Act amending Chapter 21 of the Insurance Code, as amended, by adding a new Article, numbered Article 21.28-A, relating to insurer delinquencies and their prevention, supervision of insurers and conservatorship and liquidation proceedings; defining the legislative purposes and findings; declaring public policy; defining words, terms and phrases used in this Act; stating the application and scope of this Article; etc., and declaring an emergency."

S. B. No. 215, A bill to be entitled "An Act relating to the real estate brokerage business and the licensing and regulation of real estate brokers and salesmen; amending The Real Estate License Act, House Bill No. 17, Acts of the Forty-Sixth Legislature, 1939, as amended (codified as Article 6573a, Vernon's Texas Civil Statutes); declaring legislative intent; defining terms; repealing all laws or parts of laws in conflict; providing for a severability clause; and declaring an emergency."

S. B. No. 190, A bill to be entitled "An Act relating to the compensation of the official shorthand reporters for the 19th, 54th, and 74th Judicial Districts of Texas; and declaring an emergency."

S. B. No. 454, A bill to be entitled "An Act amending Statutes; lowering the age requirements for Aid to the Blind; etc., and declaring an emergency."

Leave of Absence

Senator Word was granted leave of absence for the remainder of today on account of important business on motion of Senator Hardeman.

**Senate Bill 539 With House
Amendment**

Senator Schwartz called S. B. No. 539 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment 1

Amend S. B. No. 539 by deleting the word "guardians" appearing on line 5 of page 7 of the printed bill.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused

Word

Senate Bill 233 With House Amendment

Senator Schwartz called S. B. No. 233 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Committee Amendment 1

The captioned bill, creating Bayou-Vista Municipal Utility District, is amended in the following respects:

a. By adding at the end of Section 5 the following: "The powers and duties herein granted to the district shall be subject to the continuing right of supervision of the State, to be exercised by and through the Texas Water Rights Commission."

b. By deleting from Section 9 all of the sentence that begins with the word "Such" on line — and ends with word "District" on line — of page — of the printed bill.

c. By deleting all of the sentence that begins on line — and ends on line — of page — of the printed bill and substituting therefor the following: "The bonds of directors elected or appointed after the directors named below shall be approved by the district's board of directors, filed for record in the office of the county clerk of the county in which the district is located and shall be recorded in a record kept for that purpose in the office of the district and be filed for safekeeping in the depository of the district."

d. By deleting all of Section 16 and renumbering the succeeding Sections accordingly.

e. By deleting the word "guardians" appearing on line — of page — of the printed bill.

f. By adding after the semi-colon following the word "reference" in the caption and immediately before the word "providing" on line — of page — of the printed bill the following: "providing for continuing supervision by the State through the Texas Water Rights Commission;"

g. By deleting all of the phrase in the caption appearing on lines 12, 13 and 14 of page 2 of the printed bill, reading as follows: "providing for meetings and business transactions within or without the district but within the State of Texas;"

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused**Word****Conference Committee on
House Bill 490**

Senator Hazlewood called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 490 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 490: Senators Hazlewood, Bernal, Wilson, Kennard and Creighton.

**Conference Committee on
House Bill 491**

Senator Hazlewood called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 491 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 491: Senators Hazlewood, Bernal, Wilson, Kennard and Creighton.

Senate Bill 314 on Second Reading

Senator Cole asked unanimous consent to suspend the regular order of business and take up S. B. No. 314 for consideration at this time.

There was objection.

Senator Cole then moved to suspend the regular order of business and take up S. B. No. 314 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin
Bates
Bernal

Brooks
Christie
Cole

Connally
Creighton
Grover
Hall
Hardeman
Harrington
Herring
Hightower

Jordan
Parkhouse
Patman
Ratliff
Reagan
Wade
Watson
Wilson

Nays—7

Blanchard
Hazlewood
Kennard
Mauzy

Moore
Schwartz
Strong

Absent

Berry

Absent—Excused

Word

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 314, A bill to be entitled "An Act amending subsection (4)c of Section 1 of Senate Bill No. 116, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949 (compiled as subsection (4)c under Section 1 of Article 2922-13, V.T.C.S.) to provide for supervisor units for approved exceptional children education programs, prescribing the formula for the allocation of such exceptional children supervisor units(s) and by reference the applicable minimum salary schedule; providing for an effective date of this Act; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following amendment to the bill:

Amend S. B. No. 314 by striking out all of Section 2 and substituting in lieu thereof the following Section 2 to read as follows:

Section 2. This Act shall be effective for the scholastic year beginning 1968-69 and thereafter.

The amendment was read and was adopted.

On motion of Senator Cole, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 314 on Third Reading

Senator Cole moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 314 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	

Nays—1

Blanchard

Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 619 Ordered Not Printed

On motion of Senator Patman and by unanimous consent S. B. 619 was ordered not printed.

Senate Bill 106 on Second Reading

Senator Cole asked unanimous consent to suspend the regular order of business and take up S. B. No. 106 for consideration at this time.

There was objection.

Senator Cole then moved to suspend the regular order of business and take up S. B. No. 106 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	

Nays—5

Blanchard	Schwartz
Kennard	Strong
Mauzy	

Absent—Excused

Word

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 106, A bill to be entitled "An Act amending Section 2 of Article II, Senate Bill No. 116, Chapter 334, Acts 51st Legislature, Regular Session, 1949 (compiled as Article 2922-12, Section 2, V.T.C.S.) to include psychologists and psychometrists in the list or designations of special service teachers to assist eligible school districts in providing essential services for identification and evaluation of pupils assigned to special education classes; amending subsection (3) of Section 1 of Article III, Senate Bill No. 116, Chapter 334, supra (compiled as Article 2922-13, Section 1, subsection (3)), of special service teacher units necessitated by the enlarged changes in the list of special service teachers; providing for an effective date of this Act; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following amendment to the bill:

Amend S. B. No. 106 by striking out all of Section 3 and substituting in lieu thereof the following Section 3 to read as follows:

Section 3. This Act shall be effective for the scholastic year beginning 1968-69 and thereafter.

The amendment was read and was adopted.

On motion of Senator Cole, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 106 on Third Reading

Senator Cole moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 106 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	

Nays—1

Blanchard

Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 394 on Second Reading

Senator Cole asked unanimous consent to suspend the regular order of business to take up S. B. No. 394 for consideration at this time.

There was objection.

Senator Cole then moved to suspend the regular order of business and take up S. B. No. 394 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	

Nays—4

Blanchard	Schwartz
Mauzy	Strong

Absent

Kennard

Absent—Excused

Word

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 394, A bill to be entitled "An Act authorizing the Central Education Agency by rules and regulations to establish a special program for preschool children who have mental retardation; providing for a method of financing; limiting the allocation of classroom teacher units for the scholastic years, 1967-68 and 1968-69, as a pilot program; and declaring an emergency."

The bill was read second time.

Senator Cole offered the following amendment to the bill:

Amend Senate Bill No. 394 by striking out all of subsection b. of Section 1 and substituting in lieu thereof in Section 1 the following subsection b. to read as follows:

b. Provided, however, that the State-wide total of all classroom teacher units allocated for such preschool children who have mental retardation, beginning with and for the scholastic year 1968-69, shall be limited to six (6) classroom teacher units and for the scholastic year 1969-70, shall be limited to twelve (12) classroom teacher units. It is the intention of the Legislature that these six and twelve classroom teacher units for the respective years be

allocated as a pilot study only, to ascertain the most practical and effective means of educating preschool children who have such mental retardation.

The amendment was read and was adopted.

Senator Cole offered the following amendment to the bill:

Amend Senate Bill No. 394 by striking out all above the enactment clause and substitute in lieu thereof the following:

"An Act authorizing the Central Education Agency by rules and regulations to establish a special program for preschool children who have mental retardation; providing for a method of financing and limiting the allocation of class room teacher units to and for the scholastic years, 1968-69 and 1969-70, as a pilot program only; and declaring an emergency."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 394 on Third Reading

Senator Cole moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Nays—2

Blanchard Mauzy

Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bills on First Reading

The following bills received from the House were read the first time and referred to the committees indicated:

H. B. No. 680, to the Committee on Insurance.

H. B. No. 724, to the Committee on Counties, Cities and Towns.

H. B. No. 865, to the Committee on State Affairs.

H. B. No. 1358, to the Committee on Water and Conservation.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 97, Empowering the Governor to redesignate the Texas Surplus Property Agency for the fiscal years 1967-1968 and 1968-1969.

H. C. R. No. 108, Granting Frank J. Parchman permission to sue the State of Texas.

H. C. R. No. 52, Commending to all the people of Texas the observance of Veterans Day.

H. C. R. No. 48, Directing the Texas Education Agency to develop certain reporting procedures concerning the problems of reading retardation, dropouts, and juvenile delinquency in the public schools of Texas.

H. C. R. No. 46, Instructing the Texas Education Agency to develop a course of instruction concerning good citizenship in either the sixth or seventh grade.

H. B. No. 50, A bill to be entitled "An Act relating to hunting wild quail in Lamb County; amending Section 15, Chapter 36, Acts of the 51st Legislature, 1st Called Session, 1950 (Article 978n-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 52, A bill to be entitled "An Act requiring a director of a water district or river authority to file his personal bond with the Secretary of State; and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act concerning examination of records by the Comptroller for tax purposes, amending Chapter 1, Acts 56th Legislature, Third Called Session, 1959 (Title 122A "Taxation-General," Revised Civil Statutes of Texas), as amended, by adding a new Article to Chapter 1 of said Title to be numbered "Article 1.031"; providing that the Comptroller or his agents may examine books and records to determine whether or not the provisions of said Title are being followed; providing that no charge shall be made for such examination; providing a saving clause; providing for severability; repealing certain Acts; providing an effective date; and declaring an emergency."

H. B. No. 356, A bill to be entitled "An Act relating to the duty of the State Department of Health to recommend policies relating to medical aspects of driver licensing, traffic safety, and accident investigation; and declaring an emergency."

H. B. No. 419, A bill to be entitled "An Act amending Chapter 135, Acts of the 58th Legislature, 1963, by adding a section empowering the Sweeny Hospital District to furnish out-patient care and to purchase or otherwise acquire land and improvements to house nursing home facilities for persons residing in said hospital district; and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act amending Section 2, Chapter 178, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 6675a-13½ of Vernon's Texas Civil Statutes); providing for reflectorized material on all license plates; providing for additional costs; authorizing establishment of specifications; providing for effective date; making the provisions of this Act severable; and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act prohibiting a person from taking off, landing, or maneuvering an airplane on a public highway, road, or street; providing a penalty; and declaring an emergency."

H. B. No. 560, A bill to be entitled "An Act changing the penalty for violation of the proclamations, orders, rules, or regulations of the Parks and Wildlife Commission concerning hunting with artificial light in Newton, Jasper, Tyler, and Hardin Counties; amending Subsection (a), Section 14, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, and Subsection (a), Section 13, Chapter 19, Acts of the 55th Legislature, 2nd Called Session, 1957; and declaring an emergency."

H. B. No. 558, A bill to be entitled "An Act relating to the permanent building to be erected at HemisFair; amending Sections 4 and 8, Chapter 443, Acts of the 59th Legislature, Regular Session, 1965; adding a new Section 6a; repealing all laws in conflict; and declaring an emergency."

H. B. No. 589, A bill to be entitled "An Act exempting certain nonindigenous species from classification as game animals; amending Article 892, Penal Code of Texas, 1925, as amended by adding Donley, Hall, and Swisher Counties; and declaring an emergency."

H. B. No. 640, A bill to be entitled "An Act transferring original jurisdiction in matters of eminent domain from the County Court of Morris County to the district court in and for that county; and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act amending Acts 1955, 54th Legislature, Chapter 368, as amended, to make Act effective to governing bodies of the additional institutions named; to clarify the terms of such Act; to eliminate restrictions on the types of buildings to be constructed with proceeds of revenue bonds and the revenues and fees that can be pledged on the issuance of revenue bonds; providing for severability; and declaring an emergency."

H. B. No. 1163, A bill to be entitled "An Act creating the County Court at Law of Harrison County; providing for its jurisdiction, terms, personnel, administration, practice, and facilities; and declaring an emergency."

H. B. No. 1269, A bill to be entitled "An Act closing the season on deer in a portion of Cherokee County for

two years; prescribing a penalty; and declaring an emergency."

H. B. No. 1274, A bill to be entitled "An Act relating to hunting quail in Hemphill County, etc., and declaring an emergency."

H. B. No. 1300, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to purchase or receive by gift certain land in Somervell County; providing for the creation of a state park and for its development, operation, and maintenance; and declaring an emergency."

H. B. No. 681, A bill to be entitled "An Act relating to records to be kept by dealers in pistols; amending Section (7) (b), Article 19.01, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

S. B. No. 223, A bill to be entitled "An Act creating Spenwick Place Utility District; etc., and declaring an emergency."

Reports of Standing Committees

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 821, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
WORD

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1358, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 821 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 821 was ordered not printed.

Recess

On motion of Senator Wilson the Senate at 11:56 o'clock a.m. took recess until 2:15 o'clock p.m. today.

Record of Votes

Senator Hardeman asked to be recorded as voting "Nay" on the motion to recess.

After Recess

The President called the Senate to order at 2:15 o'clock p.m.

Senate Concurrent Resolution 84

Senator Bates offered the following resolution:

S. C. R. No. 84, Authorizing correction on S. B. No. 145.

Whereas, Senate Bill 145 has been passed by the Senate and the House and is now in the Senate Enrolling Room; and

Whereas, Certain minor corrections need to be made in the bill; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, that the Enrolling Clerk be and she is hereby directed to correct the enrolled copy of the bill by making the following changes which are typographical:

On page 7 of the bill, add the following language which was omitted: "On the part of the defendant, the following are the only" directly following the heading "Art. 27.02 Defendant's pleadings"; and

On page 13, Section 29, line 42, change the figures "46.12" to read "42.12."

The resolution was read.

On motion of Senator Bates, and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 144, Changing date of election in House Joint Resolution No. 37 to November 11, 1967.

H. B. No. 290, A bill to be entitled "An Act creating a Texas State Board of Landscape Architects; defining the terms "Landscape Architects," "Landscape Architecture," "Board," "person," and "Secretary"; providing for exemption for certain persons in professions; namely, registered professional engineers, city planners, land surveyors, nurserymen, architects (except landscape architects), and any person making plans, for property owned by himself and others; creating a board which shall consist of three members who shall be citizens of the United States and residents of Texas; prescribing qualifications for membership on board; providing method of appointment and prescribing term of office; defining a quorum of said board; providing for and prescribing oath of office and the manner of filling vacancies as well as removal for cause, prescribing the powers and duties of the board; providing for time and place of meetings; authorizing the board to adopt rules and regulations; authorizing employment of executive secretary, and employees of board; restricting salaries to those comparable in other departments of state; providing that no expense of the administration of the Act shall ever be charged against the general fund of the State of Texas; prescribing qualifications for registration; providing for examination and prescribing fee; prescribing for reciprocal provisions with other states and prescribing fee; prescribing for certificates of registration, fee, and method of revocation and reissuance; providing penalties for violation; prescribing for appeal from board order; providing for the disposition of money collected under the Act; providing a saving and severability clause; repealing laws in conflict; and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act requiring designation of right of way at intersections; amending Chapter 421, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency."

H. J. R. No. 6, House Joint Resolu-

tion proposing an amendment to Section 1, Article VIII, Constitution of the State of Texas, to increase the tax exemption on furniture to \$2,500 and to prohibit a transfer tax on securities, livestock or agriculture commodities.

S. B. No. 546, A bill to be entitled "An Act amending Chapter III, Article 12, being a part of the Texas Banking Code of 1943, the same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943; and adding a new Section to Chapter III, as amended, to be known as Article 14; providing that amendments to Articles of Association of State Banks changing the domicile of any state bank shall be approved by the State Banking Board and further providing that no state bank shall hereafter move its domicile without prior approval of the State Banking Board; providing a saving provision; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

(With Amendments.)

S. C. R. No. 82, Authorizing corrections in S. B. No. 466.

S. B. No. 71, A bill to be entitled "An Act to provide a sick leave policy for all teachers employed in the Texas Public Free Schools, setting out the Minimum Sick Leave Program, providing for reports to and administration through the Central Education Agency, providing for financing from the State Foundation School Fund, to take effect for the 1967-68 school year and thereafter, providing a severability clause, and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act relating to the definition of the term "actual places of religious worship; amending Article 7150, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

S. B. No. 237, A bill to be entitled "An Act to establish the Texas Air Control Board, etc., and declaring an emergency."

(With Amendment.)

S. B. No. 437, A bill to be entitled

"An Act amending Sections 1 and 2 of Chapter 172, Acts 1937, Forty-fifth Legislature, codified as Article 165-3, Vernon's Annotated Civil Statutes, by changing and modernizing definitions of milk and certain milk products to conform with definitions adopted by the United States Public Health Service; declaring legislative intent; authorizing the Commissioner of Health to promulgate regulations under prescribed procedures; requiring uniformity of standards; and declaring an emergency."

(With Amendments.)

H. B. No. 1347, A bill to be entitled "An Act relating to the appointment, compensation, and expense allowance for an assistant district attorney for the 9th Judicial District who shall also represent the state in any judicial district in the counties composing the 9th Judicial District; and declaring an emergency."

H. B. No. 1297, A bill to be entitled "An Act providing no motor vehicle shall draw more than three motor vehicles attached thereto by the triple saddle mount method; amending Subsection (d), Section 106, Chapter 421, Acts of the 50th Legislature, 1947, as added by Section 1, Chapter 100, Acts of the 54th Legislature, 1955 (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1100, A bill to be entitled "An Act amending Section 2 of Chapter 16, Acts of the Thirty-ninth Legislature, First Called Session, 1926 (codified as Article 752b of Vernon's Texas Civil Statutes), relating to bond elections; and declaring an emergency."

H. B. No. 943, A bill to be entitled "An Act amending Sections 1, 2, 3 and 28 of Chapter 179, Acts of the 56th Legislature, 1959, as amended by Chapter 676, Acts of the 59th Legislature, Regular Session, 1965 (Article 1722a, Vernon's Texas Penal Code), pertaining to water safety; and declaring an emergency."

H. B. No. 1340, A bill to be entitled "An Act authorizing the creation of a hospital district comprising all of Polk County, Texas, and the assumption of all outstanding indebtedness of Polk County incurred for hospital purposes; providing said

district shall assume responsibility for medical and hospital care for the needy residing within the district; providing that such district shall not be created until authorized by a majority vote of the qualified property taxpaying electors in said district at an election called by the commissioners court on its own motion or upon petition; prescribing the form of the ballot for said election; authorizing the levy of a tax by said district not exceeding 75 cents on the \$100 valuation of taxable property for the purpose of maintaining and operating a hospital or hospitals and making additions and improvements thereto; providing the method of assessing and collecting taxes; authorizing the issuance of bonds by the district and prescribing the procedure therefor; authorizing the issuance of refunding bonds by the district; authorizing the conveyance of all hospital properties by Polk County to the hospital district; providing for the appointment of a board of hospital managers for said district and prescribing its powers and duties; authorizing the establishment of a retirement system for employees of the district; granting the power of eminent domain to the district; providing for the selection of a depository for funds of the district; prescribing duties of officers of the district and other officers of the county and state with respect to the district; prohibiting the levy of any tax by Polk County, or any city therein, for hospital purposes after the creation of the district; making bonds of the district eligible for investment of certain funds and as security for certain deposits; making a finding that local notice has been properly given; providing a saving clause; and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act relating to the granting of permits to and regulation of persons who haul and dispose of water containing salt or other mineralized substances produced by the drilling of an oil or gas well, or produced in connection with the operation of an oil or gas well; prohibiting hauling without a permit and providing a penalty for violation; prohibiting the use of haulers without a permit and providing a penalty for violation; prohibiting the disposal of salt water on public land, public roads, and pri-

vate property and providing a penalty for violation; prohibiting haulers from using unmarked vehicles and providing a penalty for violation; and declaring an emergency."

H. B. No. 524, A bill to be entitled "An Act amending the Motor Fuel Tax Law, enacted as Chapter 9, Title 122A, Taxation-General, Revised Civil Statutes of Texas, by amending Subsection (1) of Article 9.01 thereof defining motor fuel; amending Article 9.02 by adding thereto a new Subsection (6) authorizing the computation of the tax on motor fuel imported in certain fuel supply tanks on a miles-per-gallon basis; adding a new Subsection (7) authorizing a fixed mileage factor in certain cases; amending Subsection (4) of Article 9.03 to permit refunds of erroneous tax payments; further amending Article 9.03 by adding a new Subsection (6) authorizing the Comptroller to require the filing of mileage schedules for motor vehicles traveling into and from this State; amending Article 9.06 by adding thereto a new Subsection (3) requiring a distributor to carry a copy of his permit with each vehicle being operated into and from the State of Texas with motor fuel subject to the tax, and providing such permit may be classified as a distributor user permit, and authorizing the Comptroller to exempt certain highway users from the permit and reporting requirements; adding Subsection (4) to permit the issuance of special trip-permits and the collection of fees equivalent to the tax; adding Subsection (5) providing that certain lessors of motor vehicles may be deemed to be distributors when they supply the fuel used by lessees of such vehicles; amending Subsection (8) of Article 9.13 to permit credit or refund of the tax paid on motor fuel exported in fuel supply tanks and used outside of Texas; amending Article 9.23 pertaining to rules and regulations; containing savings clauses; repealing laws in conflict with this Act; fixing the effective date of this Act, and declaring an emergency."

H. B. No. 810, A bill to be entitled "An Act relating to the use of state or federal funds to build limited access highways on park or recreational lands; and declaring an emergency."

H. B. No. 1011, A bill to be entitled

"An Act relating to the compensation of certain county officials in counties having a population of 1,000,000 or more; amending Subsection (b), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended; and declaring an emergency."

H. B. No. 1265, A bill to be entitled "An Act relating to the salaries and duties of district attorneys, and the duties of assistant district attorneys; amending Section 1, Chapter 442, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 3886f, Vernon's Texas Civil Statutes); making an appropriation; and declaring an emergency."

H. B. No. 1143, A bill to be entitled "An Act amending Chapter 290, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 2327d, Vernon's Texas Civil Statutes), by adding a new Section 1A to authorize County Judges and Judges of Probate Courts in counties of 1,200,000 population to appoint an official shorthand reporter to serve for the duration of a pending case only, and specifying the qualifications and providing for the compensation of such reporters; and declaring an emergency."

H. B. No. 1164, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the 44th Legislature, 2nd Called Session, 1935, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Texas Penal Code as Articles 666 and 667, by amending Section 4 (c) (1), Article I, Texas Liquor Control Act, as amended by Section 1, Chapter 221, Acts of the 48th Legislature, 1943 (Article 666-4, Vernon's Texas Penal Code), so as to reduce the hours when it shall be unlawful to consume alcoholic beverages or possess for the purpose of consuming alcoholic beverages in counties of certain populations, and giving the governing bodies of certain incorporated cities or towns and the commissioners courts of certain counties the right to adopt the hours prescribed for the more populous counties of this state, and making the violation of such order or ordinance a violation of this Act; and by amending Section 10, Article II, of the Texas Liquor Control Act, as last amended by Section 3, Chapter

221, Acts of the 48th Legislature, 1943 (Article 667-10, Vernon's Texas Penal Code), so as to extend the legal hours of sale of beer according to the populations of such counties, and giving to the governing bodies of incorporated cities and towns and the commissioners courts in the less populous counties the right to adopt legal hours of sale prescribed herein for the more populous counties; providing a severability clause; providing for repeal of laws in conflict herewith; and declaring an emergency."

H. B. No. 972, A bill to be entitled "An Act relating to the North Texas Municipal Water District; adding Section 1a and amending Sections 3(b) and 7 of Chapter 62, Acts of the 52nd Legislature, 1951 (Article 8280-141, Vernon's Texas Civil Statutes); and declaring an emergency."

S. C. R. No. 84, Authorizing Enrolling Clerk to make certain correction on S. B. No. 145.

H. B. No. 1041, A bill to be entitled "An Act amending Article 2137, Revised Civil Statutes of Texas, 1925; prescribing a method for claiming exemptions from jury service in counties employing the jury wheel system; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House were read the first time and referred to the committees indicated:

H. B. No. 525, to the Committee on Oil and Gas.

H. B. No. 1049, to the Committee on Finance.

H. B. No. 1279, to the Committee on Water and Conservation.

H. B. No. 1319, to the Committee on Labor and Management Relations.

H. B. No. 1323, to the Committee on Water and Conservation.

H. B. No. 1331, to the Committee on Counties, Cities and Towns.

H. B. No. 1341, to the Committee on Counties, Cities, and Towns.

H. B. No. 1350, to the Committee on Counties, Cities and Towns.

H. B. No. 156, to the Committee on Finance.

H. B. No. 873, to the Committee on State Affairs.

H. B. No. 1282, to the Committee on Water and Conservation.

H. B. No. 1353, to the Committee on Game and Fish.

H. B. No. 1345, to the Committee on Counties, Cities and Towns.

H. B. No. 1346, to the Committee on Counties, Cities and Towns.

H. C. R. No. 115, to the Committee on Jurisprudence.

H. C. R. No. 134, to the Committee on Jurisprudence.

House Bill 1319 Re-referred

On motion of Senator Hardeman and by unanimous consent, H. B. No. 1319 was withdrawn from the Committee on Labor and Management Relations and re-referred to the Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 724, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
HIGHTOWER
RATLIFF
CHRISTIE
BROOKS
WADE
CREIGHTON

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was

referred H. B. No. 1319, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
WORD
CHRISTIE

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred H. J. R. No. 49, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman
HAZLEWOOD
PARKHOUSE
HARDEMAN
MAUZY
HARRINGTON
WATSON

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1350, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
BATES
WADE
CREIGHTON
BROOKS

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1060, have had the same under consideration, and we are instructed to report it back to

the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
WORD
CHRISTIE

House Bill 1319 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 1319 was ordered not printed.

Message From Governor

The following message received from the Governor was read and filed with the Secretary of the Senate:

The Honorable Preston Smith, Lieutenant Governor

State Capitol
Austin, Texas

Dear Lieutenant Governor:

Pursuant to Senate Concurrent Resolution Number 75, I am returning to the Senate for correction the following bill: Senate Bill Number 292 relating to an optional retirement program for teachers and administrative personnel employed by state-supported institutions of higher education and annuity and insurance contracts issued for these and related purposes.

With kindest regards,

JOHN CONNALLY,
Governor of Texas.

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 971, Relating to the right to receive policemen's and firemen's pensions in certain cities.

H. B. No. 855, A bill to be entitled "An Act relating to taking bullfrogs in Wood County; prescribing a penalty; and declaring an emergency."

H. B. No. 162, A bill to be entitled "An Act concerning the franchise tax; amending Subsection (1), Article 12.01, Chapter 12, Title 122A "Taxation General," Revised Civil Statutes of Texas, as amended, levying a franchise tax and stating the tax base on which said tax is applied: levying an additional franchise tax on taxable debt allocable to Texas; providing for the dates of applicability of such additional tax; defining taxable debt

and providing for allocation of such taxable debt; providing an effective date; providing a saving clause; providing for severability and declaring an emergency."

H. B. No. 1209, Granting Matagorda County Navigation District No. 2 certain additional powers, etc., and declaring an emergency.

H. B. No. 538, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Chapparral Municipal Utility District," etc., and declaring an emergency."

H. B. No. 537, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "White Oak Municipal Utility District," etc., and declaring an emergency."

H. B. No. 536, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Norchester Municipal Utility District," etc., and declaring an emergency."

H. B. No. 740, A bill to be entitled "An Act amending Article 888, Penal Code of Texas, 1925, as amended, relating to issuance of permits for killing wild birds and animals to prevent them from destroying crops or domestic animals; and declaring an emergency."

H. B. No. 725, A bill to be entitled "An Act conferring on the Parks and Wildlife Commission regulatory responsibility over the taking of wildlife resources in Jackson and Matagorda Counties; and declaring an emergency."

H. B. No. 698, A bill to be entitled "An Act relating to taking crappie from Lake Lavon; and declaring an emergency."

H. B. No. 395, A bill to be entitled "An Act relating to the salary of the Judge of the County Court at Law of Grayson County; etc., and declaring an emergency."

H. B. No. 1038, A bill to be entitled "An Act creating the constitutional

office of Criminal District Attorney for Victoria County, Texas; etc., and declaring an emergency. Signed subject to the provisions of Article III, Section 49A of the Constitution of the State of Texas."

Senate Bill 35 on Second Reading

The President laid before the Senate S. B. No. 35 on its second reading and passage to engrossment (the bill having been read the second time on Tuesday, February 7, 1967).

Question—Shall S. B. No. 35 be passed to engrossment?

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 35 by deleting all below the enacting clause and substituting the following:

"Section 1. Amend Title 55, Revised Civil Statutes of Texas, 1925, as amended, by adding Article 3715a, to read as follows:

"No ordained minister, priest, or rabbi of an established church or religious organization shall be required to testify in any action, suit, or proceeding, concerning any information which may have been confidentially communicated to him in his professional capacity under such circumstances that to disclose the information would violate a sacred or moral trust, when the giving of such testimony is objected to by the communicant; provided, however, that the presiding judge in any trial may compel such disclosure if in his opinion the same is necessary to a proper administration of justice."

"Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring a bill to be read on three several days in each house be suspended, and this Rule is hereby suspended."

The amendment was read and was adopted.

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 35 by deleting all above the enacting clause and substituting the following:

A bill to be entitled "An Act mak-

ing privileged certain communications between a clergyman and his penitent; amending Title 55, Revised Civil Statutes of Texas, 1925, as amended, by adding Article 3715a; and declaring an emergency."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 35 on Third Reading

Senator Creighton moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Parkhouse
Brooks	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	

Nays—3

Christie	Mauzy
Hardeman	

Absent

Blanchard	Moore
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Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Hardeman and Christie asked to be recorded as voting "Nay" on the final passage of the bill.

Senate Bill 622 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the Committee indicated:

By Senators Kennard and Creighton:

S. B. No. 622, A bill to be entitled "An Act creating the Court of Domestic Relations No. 3 of Tarrant County and providing for its jurisdiction, terms, personnel, administration, and procedures; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 397 with House Amendments

Senator Herring called S. B. No. 397 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend S. B. 397 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. Section 6 and 7 of Chapter 99, Acts 51st Legislature, 1949 (Section 6 and 7, Article 6228b, Vernon's Texas Civil Statutes), are hereby amended, so that the same shall hereafter read as follows:

"Section 6. In the event a judge dies, resigns his office or otherwise ceases to be a judge prior to the time he has the requisite length of service for retirement benefits under the provisions of this Act, the amount of his accumulated contributions shall be paid to his estate or to any beneficiary nominated by written designation of such judge duly filed with the Board of Trustees of the Employees Retirement System, or to him, as the case may be. In the event a judge who has the requisite length of service for retirement dies before retiring, his accumulated contributions shall be paid to his estate, or to any beneficiary nominated by written designation of such judge duly filed with the Board of Trustees of the Employees Retirement System. Provided, however, if any person subject to the foregoing provision later becomes a judge of a court of this

State he must pay back to the State the amount of the contributions which he received before being entitled to retirement benefits under the provisions of this Act. The fact that a judge resigns his office prior to applying for retirement benefits shall not prejudice the right of such judge to such benefits if he is otherwise eligible. Any judge who is removed from office by impeachment, or is otherwise removed for official misconduct, shall be ineligible to draw retirement pay under the provisions of this Act.

"Section 7. During the time judges who have retired under the provisions of the Act are receiving retirement pay they shall not be allowed to appear and plead as attorneys at law in any court in this state. Any person who has retired under the provisions of this Judicial Retirement Act may elect in writing addressed to the Chief Justice of the Supreme Court within ninety (90) days after such retirement or within ninety (90) days after the effective date of this amended section, whichever is the later date, to continue as a judicial officer, in which instance they shall, with their own consent to each assignment, be subject to assignment by the Chief Justice of the Supreme Court to sit in any Court of this State of the same dignity, or lesser, as that from which they retired, and if in a District Court, under the same rules as provided by the present Administrative Judicial Act, and while so assigned, shall have all the powers of judges thereof. While assigned to said Court, such judges shall be paid an amount equal to the salary of judges of said Court, in lieu of retirement allowance. No person who has heretofore retired under the provisions of this Judicial Retirement Act shall be considered to have been a judicial officer of this State after such retirement, unless such person has accepted an assignment by the Chief Justice to sit in a Court of this State."

Section 2. The necessity of clarifying the status of retired judges, and the importance of this legislation and the crowded condition of the docket create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act take effect and be in force from

and after its passage and it is so enacted.

Committee Amendment 2

Amend S. B. 397 by striking all above the enacting clause and substituting in lieu thereof the following:

A BILL TO BE ENTITLED

An Act amending Sections 6 and 7 of Chapter 99, Acts 51st Legislature, 1949, relating to the retirement of judges; and declaring an emergency.

The House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused

Word

Motion to Place

Senate Bill 142 on Second Reading

Senator Christie asked unanimous consent to suspend the regular order of business and take up S. B. No. 142 for consideration at this time.

There was objection.

Senator Christie then moved to suspend the regular order of business and take up S. B. No. 142 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Bates	Bernal
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Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Cole	Reagan
Harrington	Schwartz
Herring	Wilson
Jordan	

Nays—12

Aikin	Hazlewood
Connally	Parkhouse
Creighton	Ratliff
Grover	Strong
Hall	Wade
Hardeman	Watson

Absent

Hightower

Absent—Excused

Word

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1323, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1262, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1279, have had

the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 622, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
CHRISTIE
BATES
BROOKS
RATLIFF
CREIGHTON
WADE
HIGHTOWER
BERRY

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1282, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

PARKHOUSE, Chairman.

House Bill 1358 Ordered Not Printed

On motion of Senator Herring and by unanimous consent H. B. No. 1358 was ordered not printed.

House Bill 1282 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 1282 was ordered not printed.

House Bill 1279 Ordered Not Printed

On motion of Senator Bates and by unanimous consent H. B. No. 1279 was ordered not printed.

Motion to Place Senate Bill 542 on Second Reading

Senator Cole asked unanimous consent to suspend the regular order of business and take up S. B. No. 542 for consideration at this time.

There was objection.

Senator Cole then moved to suspend the regular order of business and take up S. B. No. 542 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Hardeman
Bates	Harrington
Bernal	Jordan
Berry	Kennard
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Grover	Wilson
Hall	

Nays—11

Connally	Reagan
Creighton	Schwartz
Hazlewood	Strong
Herring	Wade
Mauzy	Watson
Ratliff	

Absent

Blanchard	Hightower
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Absent—Excused

Word

House Concurrent Resolution 142 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 142, Recalling Senate Bill No. 28 from the Governor and authorizing certain corrections therein.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

Bill Signed

The President signed in the presence of the Senate after the caption

had been read, the following enrolled bill:

S. B. No. 579, A bill to be entitled "An Act amending Chapter 518, Acts 1955, 54th Legislature, Regular Session, page 1314, codified as Article 8280-188, Revised Civil Statutes of the State of Texas, as said statute has heretofore been amended, by reenacting certain provisions therein but eliminating therefrom restrictions which limit the exercise of certain powers by the Trinity River Authority to the Chambers-Liberty Counties Navigation District, specifically authorizing promotion of navigation; increasing the rate of tax; providing certain exemptions as to certain property; finding that notice of intent was properly published; and declaring an emergency."

Notice of Local and Uncontested Bills Session

On motion of Senator Hall and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar at 9:00 o'clock a.m. on Thursday, May 25, 1967.

House Concurrent Resolution 138 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 138, Recalling S. B. No. 29 from the Governor and directing the Engrossing and Enrolling Clerk of the Senate to correct Senate Bill No. 29 and directing the Engrossing and Enrolling Clerk of the House of Representatives to return House Bill No. 86 to the House of Representatives for further consideration.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

Senate Bill 558 With House Amendments

Senator Creighton called S. B. No. 558 from the President's Table for consideration of House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment 1

Amend Section 6, S. B. No. 558, to read as follows:

"Section 6. (a) The directors appointed under Section 5(b) of this Act shall order and hold a confirmation election under the terms of Sections 23 (as amended by Section 1, Chapter 310, Acts of the 55th Legislature, Regular Session, 1957) and 24, Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925 (Articles 7880-23 and 7880-24, Vernon's Texas Civil Statutes).

"(b) The district shall hold an exclusion hearing under the terms of Section 76, Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as last amended by Section 1, Chapter 324, Acts of the 55th Legislature, Regular Session, 1957 (Article 7880-76, Vernon's Texas Civil Statutes).

"(c) It shall not be necessary for the board of directors to hold a hearing on the adoption of a plan of taxation and the ad valorem plan of taxation shall be used by the district. Provided, however, that taxes imposed by the district shall never exceed Five Cents (5¢) per One Hundred Dollars (\$100) valuation. The district shall use for tax purposes the same valuations for the property within the district as that carried on the county tax rolls for state and county purposes."

Committee Amendment 2

Amend Section 7, Subsection (b), S. B. No. 558, to read as follows:

"Section 7. (b) In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing, or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, re-routing, changing grade of or alteration of construction shall be accomplished at the sole expense of the District. The term 'sole expense' shall mean the actual cost of such relocation, raising, lowering, re-routing, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility."

The House amendments were read.

Senator Creighton moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused

Word

Conference Committee Report on House Joint Resolution 17

Senator Watson submitted the following Conference Committee Report on H. J. R. No. 17:

Austin, Texas,
May 19, 1967.

The Honorable Preston Smith, President of the Senate.

The Honorable Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on House Joint Resolution No. 17, have met and adjusted our differences and beg leave to recommend that House Joint Resolution No. 17 be passed in the form attached hereto.

WATSON
HARRINGTON
REAGAN
MOORE
COLE

On the Part of the Senate.

MUTSCHER
WEITING
MOORE of Hill
WILLIAMS
PRICE

On the Part of the House.

H. J. R. No. 17,

Proposing an amendment to Section 49-b, Article III of the Constitution of Texas, so as to authorize an increase in the total amount of bonds or obligations that may be issued by the Veterans' Land Board to Four Hundred Million Dollars (\$400,000,000); providing for the issuance of said bonds or obligations and the conditions relating thereto and the use of the Veterans' Land Fund; and providing for an election and the issuance of a proclamation therefor.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 49-b, Article III of the Constitution of Texas, be amended so that the same will hereafter read as follows:

"Section 49-b. By virtue of prior Amendments to this Constitution there has been created a governmental agency of the State of Texas performing governmental duties which has been designated the Veterans' Land Board. Said Board shall continue to function for the purposes specified in all of the prior Constitutional Amendments except as modified herein. Said Board shall be composed of the Commissioner of the General Land Office and two (2) citizens of the State of Texas, one (1) of whom shall be well versed in veterans' affairs and one (1) of whom shall be well versed in finances. One (1) such citizen member shall, with the advice and consent of the Senate, be appointed biennially by the Governor to serve for a term of four (4) years; but the members serving on said Board on the date of adoption hereof shall complete the terms to which they were appointed. In the event of the resignation or death of any such citizen member, the Governor shall appoint a replacement to serve for the unexpired portion of the term to which the deceased or resigning member had been appointed. The compensation for said citizen members shall be as is now or may hereafter be fixed by the Legislature; and each shall make bond in such amount as is now or may hereafter be prescribed by the Legislature.

"The Commissioner of the General Land Office shall act as Chairman of said Board and shall be the adminis-

trator of the Veterans' Land Program under such terms and restrictions as are now or may hereafter be provided by law. In the absence or illness of said Commissioner, the Chief Clerk of the General Land Office shall be the Acting Chairman of said Board with the same duties and powers that said Commissioner would have if present.

"The Veterans' Land Board may provide for, issue and sell not to exceed Four Hundred Million Dollars (\$400,000,000) in bonds or obligations of the State of Texas for the purpose of creating a fund to be known as the Veterans' Land Fund, Two Hundred Million Dollars (\$200,000,000) of which have heretofore been issued and sold. Such bonds or obligations shall be sold for not less than par value and accrued interest; shall be issued in such forms, denominations, and upon such terms as are now or may hereafter be provided by law; shall be issued and sold at such times, at such places, and in such installments as may be determined by said Board; and shall bear a rate or rates of interest as may be fixed by said Board but the weighted average annual interest rate, as that phrase is commonly and ordinarily used and understood in the municipal bond market, of all the bonds issued and sold in any installment of any bonds may not exceed four and one-half percent (4½%). All bonds or obligations issued and sold hereunder shall, after execution by the Board, approval by the Attorney General of Texas, registration by the Comptroller of Public Accounts of the State of Texas, and delivery to the purchaser or purchasers, be incontestable and shall constitute general obligations of the State of Texas under the Constitution of Texas; and all bonds heretofore issued and sold by said Board are hereby in all respects validated and declared to be general obligations of the State of Texas. In order to prevent default in the payment of principal or interest on any such bonds, the Legislature shall appropriate a sufficient amount to pay the same.

"In the sale of any such bonds or obligations, a preferential right of purchase shall be given to the administrators of the various Teacher Retirement Funds, the Permanent University Funds, and the Permanent School Funds.

"Said Veterans' Land Fund shall consist of any lands heretofore or hereafter purchased by said Board, until the sale price therefor, together with any interest and penalties due, have been received by said Board (although nothing herein shall be construed to prevent said Board from accepting full payment for a portion of any tract), and of the moneys attributable to any bonds heretofore or hereafter issued and sold by said Board which moneys so attributable shall include but shall not be limited to the proceeds from the issuance and sale of such bonds; the moneys received from the sale or resale of any lands, or rights therein, purchased with such proceeds; the moneys received from the sale or resale of any lands, or rights therein, purchased with other moneys attributable to such bonds; the interest and penalties received from the sale or resale of such lands, or rights therein; the bonuses, income, rents, royalties, and any other pecuniary benefit received by said Board from any such lands; sums received by way of indemnity or forfeiture for the failure of any bidder for the purchase of any such bonds to comply with his bid and accept and pay for such bonds or for the failure of any bidder for the purchase of any lands comprising a part of said Fund to comply with his bid and accept and pay for any such lands; and interest received from investments of any such moneys. The principal and interest on the bonds heretofore and hereafter issued by said Board shall be paid out of the moneys of said Fund in conformance with the Constitutional provisions authorizing such bonds, but the moneys of said Fund which are not immediately committed to the payment of principal and interest on such bonds, the purchase of lands as herein provided, or the payment of expenses as herein provided may be invested in bonds or obligations of the United States until such funds are needed for such purposes.

"All moneys comprising a part of said Fund and not expended for the purposes herein provided shall be a part of said Fund until there are sufficient moneys therein to retire fully all of the bonds heretofore or hereafter issued and sold by said Board, at which time all such moneys remaining in said Fund, except such portion thereof as may be necessary to retire all such bonds which por-

tion shall be set aside and retained in said Fund for the purpose of retiring all such bonds, shall be deposited to the credit of the General Revenue Fund to be appropriated to such purposes as may be prescribed by law. All moneys becoming a part of said Fund thereafter shall likewise be deposited to the credit of the General Revenue Fund.

"When a Division of said Fund (each Division consisting of the moneys attributable to the bonds issued and sold pursuant to a single Constitutional authorization and the lands purchased therewith) contains sufficient moneys to retire all of the bonds secured by such Division, the moneys thereof, except such portion as may be needed to retire all of the bonds secured by such Division which portion shall be set aside and remain a part of such Division for the purpose of retiring all such bonds, may be used for the purpose of paying the principal and the interest thereon, together with the expenses herein authorized, of any other bonds heretofore or hereafter issued and sold by said Board. Such use shall be a matter for the discretion and direction of said Board; but there may be no such use of any such moneys contrary to the rights of any holder of any of the bonds issued and sold by said Board or violative of any contract to which said Board is a party.

"The Veterans' Land Fund shall be used by said Board for the purpose of purchasing lands situated in the State of Texas owned by the United States or any governmental agency thereof, owned by the Texas Prison System or any other governmental agency of the State of Texas, or owned by any person, firm, or corporation. All lands thus purchased shall be acquired at the lowest price obtainable, to be paid for in cash, and shall be a part of said Fund. Such lands heretofore or hereafter purchased and comprising a part of said Fund are hereby declared to be held for a governmental purpose, although the individual purchasers thereof shall be subject to taxation to the same extent and in the same manner as are purchasers of lands dedicated to the Permanent Free Public School Fund.

"The lands of the Veterans' Land Fund shall be sold by said Board in such quantities, on such terms, at such prices, at such rates of interest

and under such rules and regulations as are now or may hereafter be provided by law to veterans who served not less than ninety (90) continuous days, unless sooner discharged by reason of a service-connected disability, on active duty in the Army, Navy, Air Force, Coast Guard or Marine Corps of the United States between September 16, 1940, and the date of formal withdrawal of United States troops from the present armed conflict in Viet Nam, and who, upon the date of filing his or her application to purchase any such land is a citizen of the United States, is a bona fide resident of the State of Texas, and has not been dishonorably discharged from any branch of the Armed Forces above-named and who at the time of his or her enlistment, induction, commissioning, or drafting was a bona fide resident of the State of Texas, or who has resided in Texas at least five (5) years prior to the date of filing his or her application. The foregoing notwithstanding, any lands in the Veterans' Land Fund which have been first offered for sale to veterans and which have not been sold may be sold or resold to such purchasers, in such quantities, and on such terms, and at such prices and rates of interest, and under such rules and regulations as are now or may hereafter be provided by law.

"Said Veterans' Land Fund, to the extent of the moneys attributable to any bonds hereafter issued and sold by said Board may be used by said Board, as is now or may hereafter be provided by law, for the purpose of paying the expenses of surveying, monumenting, road construction, legal fees, recordation fees, advertising and other like costs necessary or incidental to the purchase and sale, or resale, of any lands purchased with any of the moneys attributable to such additional bonds, such expenses to be added to the price of such lands when sold, or resold, by said Board; for the purpose of paying the expenses of issuing, selling, and delivering any such additional bonds; and for the purpose of meeting the expenses of paying the interest or principal due or to become due on any such additional bonds.

"All of the moneys attributable to any series of bonds hereafter issued and sold by said Board (a 'series of bonds' being all of the bonds issued and sold in a single transaction as a

single installment of bonds) may be used for the purchase of lands as herein provided, to be sold as herein provided, for a period ending eight (8) years after the date of sale of such series of bonds; provided, however, that so much of such moneys as may be necessary to pay interest on bonds hereafter issued and sold shall be set aside for that purpose in accordance with the resolution adopted by said Board authorizing the issuance and sale of such series of bonds. After such eight (8) year period, all of such moneys shall be set aside for the retirement of any bonds hereafter issued and sold and to pay interest thereon, together with any expenses as provided herein, in accordance with the resolution or resolutions authorizing the issuance and sale of such additional bonds, until there are sufficient moneys to retire all of the bonds hereafter issued and sold, at which time all such moneys then remaining a part of said Veterans' Land Fund and thereafter becoming a part of said Fund shall be governed as elsewhere provided herein.

"This Amendment being intended only to establish a basic framework and not to be a comprehensive treatment of the Veterans' Land Program, there is hereby reposed in the Legislature full power to implement and effectuate the design and objects of this Amendment, including the power to delegate such duties, responsibilities, functions, and authority to the Veterans' Land Board as it believes necessary.

"Should the Legislature enact any enabling laws in anticipation of this Amendment, no such law shall be void by reason of its anticipatory nature.

"This Amendment shall become effective upon its adoption."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on November 11, 1967, at which election all ballots shall have printed thereon the following:

"FOR the amendment to extend the Veterans' Land Program by authorizing the sale of bonds to increase the Veterans' Land Fund for the purpose of purchasing land in Texas to be sold to Texas veterans who served in the Armed Services of the United States between September 16, 1940,

and the date of formal withdrawal of United States troops from the present armed conflict in Viet Nam, which amendment would amend Section 49-b, Article III of the Constitution of Texas, and provide for an additional \$200,000,000 in bonds, such funds to be expended in accordance with instructions and requirements that may be provided by law."

"AGAINST the amendment to extend the Veterans' Land Program by authorizing the sale of bonds to increase the Veterans' Land Fund for the purpose of purchasing land in Texas to be sold to Texas veterans who served in the Armed Services of the United States between September 16, 1940, and the date of formal withdrawal of United States troops from the present armed conflict in Viet Nam, which amendment would amend Section 49-b, Article III of the Constitution of Texas, and provide for an additional \$200,000,000 in bonds, such funds to be expended in accordance with instructions and requirements that may be provided by law."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this amendment shall be published in the manner and for the length of time as required by the Constitution and laws of this state.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—28

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Harrington	Watson
Hazlewood	Wilson

Nays—2

Hardeman	Wade
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Absent—Excused

Word

House Bill 1358 on Second Reading

Senator Herring moved that Senate Rules 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 1358 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	

Nays—3

Mauzy	Strong
Schwartz	

Absent—Excused

Word

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1358, A bill to be entitled "An Act amending Section 10 of the "Lower Colorado River Authority Act," etc., and declaring an emergency."

The bill was read second time.

On motion of Senator Herring, and by unanimous consent H. B. No. 1358 was laid on the Table Subject to Call.

Senate Bill 622 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent S. B. No. 622 was ordered not printed.

Reports of Standing Committees

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1341, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
RATLIFF
CHRISTIE
WADE
CREIGHTON
HIGHTOWER

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1345, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
BATES
WADE
BERRY
CREIGHTON
RATLIFF
CONNALLY

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1346, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
BATES
WADE
BERRY
CREIGHTON
RATLIFF
CONNALLY

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H.

C. R. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senate Bill 462 Re-Referred

On motion of Senator Moore, and by unanimous consent, S. B. No. 462 was withdrawn from the Committee on Game and Fish and re-referred to the Committee on Counties, Cities, and Towns.

Senate Bill 618 on Second Reading

Senator Herring moved that Senate Rules 13, 32, and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 618 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Harrington
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Wade
Hall	Watson
Hardeman	Wilson

Nays—4

Hazlewood	Schwartz
Mauzy	Strong

Absent—Excused

Word

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 618, A bill to be entitled "An Act amending Section 10 of the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the 43rd Legislature (1934), page 19, as amended, by increasing the aggregate principal amount of bonds which the District may issue."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend S. B. No. 618 by striking all below the enacting clause and substituting the following:

Section 1. Chapter 7, Acts of the 43rd Legislature, 4th Called Session, 1934, as amended (Article 8280-107, Vernon's Texas Civil Statutes), is amended by adding a Section 10a to read as follows:

"Section 10a. Aggregate Principal Amount of Bonds. Notwithstanding the provisions of Section 10 of this Act, the District shall have the power and is hereby authorized to issue bonds from time to time as authorized by this Act, provided that the aggregate principal amount of such bonds outstanding at any one time shall not exceed Two Hundred Million Dollars (\$200,000,000.00). All other provisions of Section 10 of this Act apply to the issuance of bonds under this section."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read and was adopted.

Senator Herring offered the following amendment to the bill:

Amend S. B. No. 618 by striking all above the enacting clause and substituting the following:

A BILL TO BE ENTITLED

An Act to increase the aggregate principal amount of bonds which the Lower Colorado River Authority may issue; amending Chapter 7, Acts of the 43rd Legislature, 4th Called Session, 1934, as amended (Article 8280-107, Vernon's Texas Civil Statutes), by adding a Section 10a; and declaring an emergency.

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

Senate Bill 618 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid S. B. No. 618 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

Motion to Place Senate Bill 173 on Second Reading

Senator Schwartz asked unanimous consent to suspend the regular order of business and take up S. B. No. 173 for consideration at this time.

There was objection.

Senator Schwartz then moved to suspend the regular order of business and take up S. B. No. 173 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Bernal	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Mauzy
Cole	Reagan
Creighton	Schwartz
Hall	Strong
Harrington	Wilson

Nays—10

Ailkin	Moore
Bates	Parkhouse
Grover	Patman
Hardeman	Ratliff
Herring	Watson

Absent

Berry	Hazlewood
Connally	Wade

Absent—Excused

Word

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the committees indicated:

H. B. No. 729, to Committee on Counties, Cities, and Towns.

H. B. No. 1352, to Committee on Water and Conservation.

H. B. No. 315, to Committee on Jurisprudence.

H. B. No. 482, to Committee on Transportation.

H. B. No. 1286, to Committee on Agriculture and Livestock.

H. B. No. 684, to Committee on Jurisprudence.

H. B. No. 738, to Committee on Counties, Cities, and Towns.

H. B. No. 775, to Committee on Counties, Cities, and Towns.

H. B. No. 1010, to Committee on Jurisprudence.

H. B. No. 1067, to Committee on Counties, Cities, and Towns.

H. B. No. 1217, to Committee on Water and Conservation.

H. B. No. 1312, to Committee on Counties, Cities, and Towns.

H. B. No. 1355, to Committee on Game and Fish.

H. J. R. No. 6, to Committee on Constitutional Amendments.

H. B. No. 743, to Committee on Counties, Cities, and Towns.

H. B. No. 1190, to Committee on State Affairs.

H. B. No. 43, to Committee on Oil and Gas.

H. B. No. 866, to Committee on Counties, Cities, and Towns.

H. B. No. 726, to Committee on Counties, Cities, and Towns.

H. B. No. 918, to Committee on Game and Fish.

H. B. No. 966, to Committee on Jurisprudence.

H. B. No. 1297, to Committee on Transportation.

House Bill 1352 Re-referred

On motion of Senator Reagan, and by unanimous consent, H. B. No. 1352 was withdrawn from the Committee on Water and Conservation and re-referred to the Committee on Counties, Cities, and Towns.

Senate Joint Resolution 41 on Second Reading

Senator Bernal asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 41 for consideration at this time.

There was objection.

Senator Bernal then moved to suspend the regular order of business and take up S. J. R. No. 41 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Berry	Moore
Brooks	Patman
Christie	Reagan
Cole	Schwartz
Hall	Strong
Harrington	Wade
Herring	Watson
Hightower	Wilson

Nays—5

Blanchard	Hardeman
Connally	Parkhouse
Creighton	

Absent

Grover	Ratliff
Hazlewood	

Absent—Excused

Word

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 41, Proposing an amendment to Section 51-A, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs.

The resolution was read second time and passed to engrossment.

Record of Votes

Senators Hardeman, Parkhouse and Blanchard asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

Senate Joint Resolution 41 on Third Reading

Senator Bernal moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Patman
Cole	Schwartz
Connally	Strong
Grover	Wade
Hall	Watson
Harrington	Wilson
Herring	

Nays—5

Blanchard	Parkhouse
Creighton	Reagan
Hardeman	

Absent

Hazlewood	Ratliff
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Absent—Excused

Word

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—25

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Christie	Patman
Cole	Reagan
Connally	Schwartz
Grover	Strong
Hall	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	

Nays—4

Blanchard	Hardeman
Creighton	Parkhouse

Absent

Ratliff

Absent—Excused

Word

Senate Bill 174 on Third Reading

Senator Blanchard moved to suspend the regular order of business and take up S. B. No. 174 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Hazlewood
Bates	Hightower
Bernal	Kennard
Berry	Moore
Blanchard	Parkhouse
Christie	Reagan
Cole	Schwartz
Connally	Strong
Grover	Wade
Hall	Wilson
Hardeman	

Nays—9

Brooks	Mauzy
Creighton	Patman
Harrington	Ratliff
Herring	Watson
Jordan	

Absent—Excused

Word

The President laid before the Senate on its third reading and final passage:

S. B. No. 174, A bill to be entitled "An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Art. 3.40-1; providing that notwithstanding the provisions of Art. 3.40 of such Code any domestic life insurance company may invest any of its funds in improved income producing real estate; etc.; and declaring an emergency."

The bill was read the third time and was finally passed.

Record of Votes

Senators Ratliff, Herring, Patman, Harrington, Mauzy, Christie, Brooks, Jordan, Kennard, Creighton, and Rea-

gan asked to be recorded as voting "Nay" on the final passage of S. B. No. 174.

Senator Watson asked to be recorded as voting "Yea" on the final passage of S. B. No. 174.

Reports of Standing Committees

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 836, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman
PATMAN
BATES
BERNAL
CHRISTIE
COLE
CONNALLY
CREIGHTON
HARDEMAN
JORDAN
KENNARD
MOORE
REAGAN
SCHWARTZ
WADE
WATSON

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 729, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
CHRISTIE
WADE
BATES
CREIGHTON
BROOKS

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 1352, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
CONNALLY
BROOKS
WADE
CHRISTIE
BATES

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred H. B. No. 1331, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
CHRISTIE
WADE
CREIGHTON
BERRY
RATLIFF

Senate Bill 619 on Second Reading

Senator Patman moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 619 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Moore
Blanchard	Parkhouse
Brooks	Patman
Christie	Ratliff
Cole	Reagan
Creighton	Strong
Grover	Wade
Hall	Watson
Hardeman	Wilson
Harrington	

Nays—5

Connally	Mauzy
Hazlewood	Schwartz
Kennard	

Absent—Excused

Word

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 619, A bill to be entitled "An Act relating to bonds of the Directors and Treasurer of the Lavaca County Flood Control District; amending Section 5, Chapter 95, Acts of the 56th Legislature, Regular Session, 1959 (Article 8280-218, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 619 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid S. B. No. 619 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused

Word

Senate Bill 294 on Second Reading

On motion of Senator Harrington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 294, A bill to be entitled "An Act amending Paragraph (b) of Subsection (3) of Section 1 of Article

3.50 of the Insurance Code and amending Subsection (a) of Section 1 of Article 3.51 of the Insurance Code to permit the expenditure of state funds to pay all or any portion of the premiums for certain group insurance contracts covering employees of the state; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 294 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 294 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson

Absent—Excused

Word

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Motion to Set Senate Bill 173 as Special Order

Senator Schwartz moved that S. B. No. 173 be set as Special Order for 3:45 o'clock p.m. today.

Senator Hardeman moved that S. B. No. 173 be set as Special Order for 3:45 o'clock p.m. on May 28, 1967.

Question first on the motion to set S. B. No. 173 as Special Order for 3:45 o'clock p.m. on May 28, 1967,

the motion was lost by the following vote:

Yeas—5

Aikin	Herring
Bates	Parkhouse
Hardeman	

Nays—23

Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Harrington	Watson
Hazlewood	Wilson
Hightower	

Absent

Cole	Ratliff
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Absent—Excused

Word

Question next on the motion to set S. B. No. 173 for Special Order for 3:45 o'clock p.m. today, the motion prevailed by the following vote:

Yeas—22

Bates	Hazlewood
Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Mauzy
Connally	Moore
Creighton	Schwartz
Grover	Strong
Hall	Wade
Harrington	Wilson

Nays—7

Aikin	Ratliff
Hardeman	Reagan
Parkhouse	Watson
Patman	

Absent

Cole

Absent—Excused

Word

Senate Bill 173 on Second Reading

The President laid before the Senate as Special Order set for this time

on its second reading and passage to engrossment:

S. B. No. 173, A bill to be entitled "An Act creating the Texas Constitutional Revision Commission; prescribing duties and powers; providing for the mode of appointing its members; providing for acceptance of private grants, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Hardeman, Parkhouse and Patman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 173 on Third Reading

Senator Schwartz moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Bernal	Herring
Berry	Hightower
Blanchard	Jordan
Brooks	Kennard
Christie	Mauzy
Cole	Moore
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Harrington	Watson
Hazlewood	Wilson

Nays—5

Aikin	Patman
Hardeman	Ratliff
Parkhouse	

Absent

Bates

Absent—Excused

Word

Pending discussion by Senator Parkhouse of the bill, Senator Bernal occupied the Chair.

(President in the Chair.)

Question—Shall S. B. No. 173 be finally passed?

Reports of Standing Committees

Senator Hightower by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We your Committee on Game and Fish to which was referred H. B. No. 1353, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 1033, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
HIGHTOWER
CONNALLY
WADE
RATLIFF

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. B. No. 967, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.
CHRISTIE
HIGHTOWER
CONNALLY
WADE
RATLIFF

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. B. No. 470, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.
PATMAN
BATES
BERNAL
BERRY
CHRISTIE
COLE
CONNALLY
CREIGHTON
HARDEMAN
JORDAN
KENNARD
MOORE
REAGAN
WADE
WATSON

House Bill 1189 Re-Referred

On motion of Senator Hightower and by unanimous consent, H. B. No. 1189 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Bates by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Transportation to which was referred H. B. No. 1297, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BATES, Chairman.

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Oil and Gas to which was referred H. B. No.

43, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Hightower by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to which was referred H. B. No. 1355, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to which was referred H. J. R. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.
BATES
GROVER
HALL
HAZLEWOOD
MAUZY
STRONG
BERRY

Senator Hightower by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 918, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HIGHTOWER, Chairman.

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 726, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman
BATES
RATLIFF
WADE
BERRY
CONNALLY

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Oil and Gas, to which was referred H. B. No. 525, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman
PARKHOUSE
CREIGHTON
CHRISTIE
HARDEMAN
PATMAN
STRONG
HIGHTOWER

Memorial Resolutions

S. R. No. 684—By Senator Harde-
man: Memorial resolution for Mrs.
Frank Friend.

S. R. No. 689—By Senator Blanch-
ard: Memorial resolution for C. L.
(Cliff) Dean.

S. R. No. 690—By Senator Mauzy:
Memorial resolution for Mrs. Alice
Sewell.

S. R. No. 693—By Senator Hazle-
wood: Memorial resolution for Riley
Strickland.

S. R. No. 694—By Senator Hazle-
wood: Memorial resolution for Harry
Hays Holland.

S. R. No. 697—By Senator Hazlewood: Memorial resolution for Robert Benjamin (Bob) Glenn.

S. R. No. 698—By Senator Hazlewood: Memorial resolution for Floyd V. Studer.

Welcome and Congratulatory Resolutions

S. R. No. 682—By Senator Cole: Extending congratulations to Mabel M. Smith.

S. R. No. 685—By Senator Harde-
man: Extending congratulations to Dr. R. L. Cavness.

S. R. No. 691—By Senators Bernal and Berry: Extending welcome to teachers and students of Eighth Grade of St. Henry's Catholic School of San Antonio.

S. R. No. 692—By Senator Harrington: Extending congratulations to Miss Julia Plummer.

S. R. No. 695—By Senator Christie: Extending congratulations to Milton D. Feinberg.

S. R. No. 696—By Senator Herring: Extending welcome and privileges of the floor for the day to Mr. Douglas and Mr. Bender.

Recess

On motion of Senator Schwartz the Senate at 4:38 o'clock p.m. took recess until 10:30 o'clock a.m. tomorrow.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 502, An Act relating to inscriptions to be printed on state-owned motor vehicles; amending Article 821, Vernon's Annotated Penal Code of the State of Texas; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 33, An Act relating to the rights, duties, privileges, powers, and liabilities of spouses; revising and amending Chapters 2 and 3, Title 75, Revised Civil Statutes of Texas, 1925; amending Articles 6632, 6647, 1065, 5518, 5519, and 5535; amending the Insurance Code by adding a new Article 3.49-3; repealing Articles 1300, 1983, 1985, 4611, 4612, 4616, 6605, 6608, 6648, 6649, 6650, and 6651, Revised Civil Statutes of Texas, 1925; validating certain acknowledgments of married women; providing a saving clause; providing an effective date; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 190, An Act relating to the compensation of the official shorthand reporters for the 19th, 54th, and 74th Judicial Districts of Texas; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 215, An Act relating to the real estate brokerage business and the licensing and regulation of real estate brokers and salesmen; amending The Real Estate License Act, House Bill No. 17, Acts of the 46th Legislature, 1939, as amended

(codified as Article 6573a, Vernon's Texas Civil Statutes); defining terms; repealing all laws or parts of laws in conflict; providing for a severability clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 454, An Act amending Senate Bill No. 36, Page 544, General Laws of the State of Texas, Acts of the 46th Legislature, Regular Session, 1939, as amended by House Bill No. 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, 47th Legislature, Regular Session, 1941, as amended, which is codified as Article 695c, Vernon's Texas Civil Statutes, by amending Subsections (1) and (3) of Section 12, Subitem 4 of Subsection (1) and Subsections (2) and (4) of Section 16-B, Subsection (3) of Section 17, Section 19, Subsections (2) and (3) of Section 20, Sections 38 and 41 of said Article; repealing Subsection (4) of Section 12, Subitem 5 of Subsection (1) and Subsection (5) of Section 16-B, and Subsection (4) of Section 20; lowering the age requirement for Aid to the Blind; amending the residence requirement for applicants for Aid to the Blind, Aid to the Permanently and Totally Disabled, and Old Age Assistance; repealing the provisions prohibiting the payment of assistance grants to individuals in institutions; authorizing assistance to individuals in institutions; redefining the term "permanent and total disability"; amending the relative support provision for Aid to the Permanently and Totally Disabled; raising the age requirement and amending the requirement for school attendance for dependent children; authorizing Old Age Assistance payments to non-citizens; requiring appropriate State Departments or Agencies to enter into agreements for Medical Assistance; authorizing Medical Assistance to recipients outside the state on a temporary basis; fixing an effective date for paying assistance grants;

providing a repealing clause; a savings clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 477, An Act amending Chapter 21 of the Insurance Code, as amended, by adding a new Article, numbered Article 21.28-A, relating to insurer delinquencies and their prevention, supervision of insurers and conservatorship and liquidation proceedings; defining the legislative purposes and findings; declaring public policy; defining words, terms and phrases used in this Act; stating the application and scope of this Article; authorizing the Commissioner, under prescribed conditions, to notify insurers to comply, under the Commissioner's supervision, with his lawful written requirements within sixty (60) days; authorizing the Commissioner, after notice and hearing, to take charge of any insurer which fails to comply with his lawful requirements; prohibiting certain acts during the sixty (60) day period of supervision; providing for the appointment of conservators and prescribing their duties; providing for rehabilitation of insurers; authorizing conservators to reinsure policies or certificates in solvent companies; providing that reserves attributable to such reinsured policies or certificates may be transferred to the re-insuring company; providing that such transfer shall not be deemed a preference of creditors; providing for suits in the nature of quo warranto to be brought against insurers by the Attorney General; providing that costs of supervision and conservatorship shall be charges against insurers; declaring the Act applicable to out-of-state companies and prescribing special procedures respecting supervision and conservatorship for such companies; providing for judicial review and for staying actions of conservators or of the Commissioner; fixing venue; prescribing the duration of conservatorships; authorizing ad-

ministrative election of proceedings; authorizing the State Board of Insurance to promulgate rules and regulations; declaring that other statutes and laws are authorized for use and application in conjunction with this Article; declaring the Act cumulative of other laws and that its provisions shall govern if in conflict with other laws; providing severability; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 223, An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitution of Texas, known as "Spenwick Place Municipal Utility District of Harris County"; declaring said district to be a governmental agency and body politic and corporate; defining the boundaries of said district and finding that said boundaries form a closure; finding that said district is created to serve a public use and benefit; providing that said district shall have all of the rights, powers, privileges, authority and duties conferred by the General Laws applicable to water control and improvement districts created under Article XVI, Section 59 of the Constitution of Texas where not in conflict with this Act, specifying certain rights, powers and authority but providing, by way of limitation, that the district shall comply with all requirements of an ordinance of the City of La Porte, Texas, and that all powers and duties of said district shall be subject to the continuing right of supervision of the state, exercised by and through the Texas Water Rights Commission; providing for no confirmation election nor hearing for the exclusion of lands nor hearing on plan of taxation need be held and adopting the ad valorem plan of taxation; providing for the governing body of said district; providing for the qualifications, election and terms of directors and appointing members of original board of directors; providing for the validity of bonds issued

by said district; providing for the approval and inspection of construction projects by the Texas Water Commission; limiting the powers of eminent domain of said district; providing for payment of certain relocation and other costs; providing that Article 7880-77b shall not be applicable to said district; providing that said district is free from taxation within this state; determining and finding that the requirements of Article XVI, Section 59(d) have been fulfilled and accomplished; providing for severability; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
May 22, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 579, An Act amending Chapter 518, Acts 1955, 54th Legislature, Regular Session, page 1314, codified as Article 8280-188, Revised Civil Statutes of the State of Texas, as said statute has heretofore been amended, by re-enacting certain provisions therein but eliminating therefrom restrictions which limit the exercise of certain powers by the Trinity River Authority to the Chambers-Liberty Counties Navigation District, specifically authorizing promotion of navigation; increasing the rate of tax; providing certain exemptions as to certain property; finding that notice of intent was properly published; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

May 22, 1967

S. B. No. 223

S. B. No. 579

S. B. No. 215

S. B. No. 190

S. B. No. 502

S. B. No. 33

S. B. No. 454

S. B. No. 477

In Memory of

Mrs. Clayton Ethel Kennard

Senator Strong offered the following resolution:

(Senate Resolution 686)

Whereas, The death of Mrs. Clayton Ethel Kennard on Wednesday, May 17, 1967, has saddened the many friends and associates who knew her and her son, Senator Don Kennard; and

Whereas, Mrs. Kennard, who died at the age of 75, was a native of Paris, Tennessee, and had lived in Fort Worth for a number of years; and

Whereas, She was a member of the Boulevard Christian Church; and

Whereas, The Senate of the 60th Legislature wishes to pay tribute to this outstanding woman and to extend deep sympathy to her son, our colleague, and the other members of the family, including the little granddaughter, Karen, to whom she was so devoted; now, therefore, be it

Resolved by the Senate of the State of Texas, That this Resolution stand in recognition of the Christian life and dedicated service of Mrs. Clayton Ethel Kennard, and that copies be prepared under the Seal of the Senate for her husband, Don Kennard, Sr. of Fort Worth; and for her son, Senator Don Kennard; and, be it further

Resolved, That a page in the Journal of the Senate be set aside in respect to her; and when the Senate adjourns this day that it do so in memory of Mrs. Don Kennard, Sr.

STRONG
SCHWARTZ
MAUZY

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Moore, Parkhouse, Patman, Ratliff, Reagan, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

SIXTY-THIRD DAY

(Continued)

(Tuesday, May 23, 1967)

After Recess

The Senate met at 10:30 o'clock a.m., and was called to order by the President.

Report of Standing Committee

Senator Watson by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 680, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WATSON, Chairman.

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 524, to Committee on Oil and Gas.

H. B. No. 972, to Committee on Water and Conservation.

H. B. No. 1011, to Committee on Counties, Cities and Towns.

H. B. No. 1164, to Committee on Jurisprudence.

H. B. No. 1336, to Committee on Jurisprudence.

H. B. No. 1110, to Committee on Counties, Cities and Towns.

H. B. No. 1340, to Committee on Counties, Cities and Towns.

Reports of Standing Committees

Senator Kennard by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 808, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman.

Austin, Texas,
May 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Public Health, to which was referred H. B. No. 478, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KENNARD, Chairman.

Senator Hardeman by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 156, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Acting Chairman.

Austin, Texas,
May 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 1049, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Acting Chairman.

Senate Resolution 700

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mrs. Gene Hendryx, wife of Representative Gene Hendryx, and her three children; and